FEDERAL REGULATORY DEVELOPMENTS IN CABLE TELEVISION AND CABLE TELEVISION STATE REGULATION

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NOTE: The publisher wishes to express appreciation to the Cable Television Bureau of the Federal Communications Commission, and specifically to the Policy Review & Development Division, Ms. Sharon Briley. The material included in this text has been developed by the FCC. The publisher assumes no liability for its correctness.

Published by
COMMUNICATIONS/ENGINEERING SERVICES
P.O. Box 2665
Arlington, VA 22202

$8.95 single copy price. Ten or more copies shipped to one destination: $6.00 per copy. Checks must be made payable to Communications/Engineering Services. Mail to P.O. Box 2665, Arlington, VA 22202. Billing Charge for purchase orders $1.00 additional.

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Developed by the Policy Review & Development
Division of the Cable Television Bureau,
Federal Communications Commission.

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SECTION I

Regulatory Developments in Cable Television

Summarizing the major rulemaking actions of the FCC since 1972, current rules and regulations, and guidelines for citizen participation in FCC processes related to cable television regulation. Developed by the Policy Review & Development Division of the Cable Television Bureau, FCC.

sion signals prior to that date; (3) existing systems that wish to add signals not previously authorized or carried; and (4) existing cable systems whose franchise periods have terminated, or March 31, 1977, whichever occurs first.

Elements of CAC Application

Although no standard application form currently exists for certificates of compliance, all elements of a complete application are set forth in the rules. Since the application for certificate for a new cable system has the largest number of elements, a brief description of its elements follows:

1 Cable Television System Proposal

Name and mailing address of the operator.
Community and detailed description of area to be served.
Television signals to be carried.
Date of commencement of operations.
Statement as to whether microwave radio facilities will be used.

2 FCC Form 325

Copy of Form 325, entitled "Annual Report of Cable Television Systems," supplying the information requested as though the cable system already were in operation as proposed.

3 Franchise

Copy of the franchise, certificate, or other authorization granted by state or local authorities to construct and operate a cable television system.
Statement indicating how the franchise complies with the FCC franchising standards.

4 Nonbroadcast Services

Statement that explains how the proposed system's plans, if any, for availability and administration of access channels and other nonbroadcast cable services are consistent with the rules.

5 Signal Carriage

Statement that explains how carriage of the proposed television signals is consistent with the rules, including any special showing as to whether a signal is significantly viewed.

6 Service Statement

Certification that a written notification containing the cable system proposal information (No. 1 above) was served upon local television broadcast licensees and permittees, translator stations, franchising authorities, superintendents of schools, local or state educational television authorities, and state regulatory agencies.

7 Local Availability of Application

Statement that a copy of the completed application has been served on any local or state agency or body asserting authority to franchise, license, certify, or otherwise regulate cable television; and that, if the application is not made available by any such authority for public inspection in the community of the system, the applicant will provide for public inspection of the application at any accessible place in the community during regular business hours.

8 Equal Employment Opportunity

Statement of the proposed system's equal employment opportunity program, if the system will have five or more full time employees continuously during January, February, and March of the year following commencement of operations.

9 Filing Fee

Statement that the filing fee is attached. Fee required for a single application is $15.00; if multiple applications are filed for other communities served by a common headend, a $5.00 fee is required for each additional community.

Applications Required by March 31, 1977

Certain systems are not required to file a CAC application until March 31, 1977. These systems are "grandfathered" under the rules in either of two ways. First, if a cable television system was franchised prior to March 31, 1972, it generally has until March 31, 1977, or until the expiration of its franchise, whichever occurs first, to comply with the franchise standards. Second, if a system was in operation prior to March 31, 1972, it has until March 31, 1977, to comply with the rules concerning technical standards.

Systems which must file applications for CAC by March 31, 1977, may be categorized as follows: (1) grandfathered systems, (2) systems which were granted certificates based on their "substantial compliance" with the franchise standards, and (3) any other system whose CAC expires on or before March 31, 1977.

A question often asked is: What if a franchise which complies with Commission rules is not obtained by March 31, 1977? The Commission recently spelled out in a public notice that failure to obtain a franchise that fully complies with franchise standards places the operator in violation of the Commission's rules. The ultimate result of such violation could be an order to show cause proceeding which might lead to a cease and desist order being issued against the existing operation. See Public Notice of July 16, 1975, 54 FCC 2d 839, 40 Fed. Reg. 20742 (1975).

B. Franchising Standards

Acknowledging that federal licensing would be an "unmanageable burden" and that the industry is uniquely suited to "a deliberately structured dualism," the Commission adopted minimum standards in 1972 for franchises issued by local governments. These standards relate to the process of selecting a franchisee, franchise duration and fees, the establishment of construction timetables, rates charged to subscribers, and procedures for handling subscriber complaints.

The major franchise standards require that (1) the franchising authority approve a franchisee's qualifications as part of a "public proceeding affording due process;"

(2) significant construction begin within one year following the issuance of a certificate of compliance and that the system should extend into a substantial percentage of its franchise area each year, as determined by the franchising authority; (3) franchise fees in excess of 3 percent must be justified as appropriate in light of the local regulatory program; (4) franchise duration should not exceed 15 years; and (5) local authorities regulate rates charged to subscribers for regular subscriber services.

Clarification of the Rules

In April 1974, the Commission adopted a *Clarification of the Cable Television Rules and Notice of Proposed Rule Making and Inquiry,* 46 FCC 2d 175, 39 Fed. Reg. 14288 (1974), to clarify existing franchise standards and other rules and policies and also to seek comments on proposed additional or modified standards. This document was related to recommendations of the Federal-State/Local Advisory Committee on Regulatory Relationships (FSLAC), which was established by the 1972 *Report and Order.*

The Commission has issued decisions in four of the seven proceedings initiated in the *Clarification.* First, it preempted cable television technical standards (Docket 20028). Second, it amended the rules to require cable television franchisees to adopt local complaint procedures, to identify a local official responsible for complaints, and to inform new subscribers about complaint procedures. Third, the Commission adopted an amendment clarifying its line extension requirements for those areas where the entire franchise area is not served (Docket 20020). The new rules on both complaint procedures and line extension apply only to cable systems whose franchises are granted after August 1, 1975. Fourth, the Commission decided to make no change in the franchise duration standard requiring an initial franchise period not exceeding fifteen (15) years and a renewal period of reasonable duration (Docket 20021).

Also in the *Clarification,* the Commission initiated inquiries in three areas: (1) public proceedings and qualifications for franchisees (Docket 20019); (2) franchise expiration, cancellation and continuation of service (Docket 20022); and (3) transfers of control of cable television franchises (Docket 20023). Decisions are pending in these proceedings.

Rate Regulation

In order to fulfill the requirements of the franchise standards, a cable system's franchise must contain provisions that the franchising authority has specified or approved the initial rates that the franchisee charges subscribers for installation of equipment and regular subscriber services. No increases in rates charged to subscribers may be made except as authorized by the franchising authority after an appropriate public proceeding affording due process. In the proceeding concerning subscriber rate regulation (Docket 20681), the Commission proposes to either delete the rule or to clarify it to take into consideration franchising authorities who do not have authority, under their state law, to exercise rate regulation. The proposed rule states: "If the franchisor has the appropriate authority and elects to exercise rate regulation of regular subscriber services it shall do so only after adopting procedures to insure public notice of any formal consideration of rate increases and an opportunity for the public to be heard." *Notice of Proposed Rule Making in Docket 20681,* 41 Fed. Reg. 1601 (1976). This rule making relates only to regular subscriber services rates. The Commission has preempted rate regulation of any other services, such as pay cable, advertising, leased channels, or auxiliary services. See *Clarification,* 39 Fed. Reg. 14397 (1974).

In April 1976 the Commission initiated a rate regulation inquiry into all aspects of subscriber rate regulation to gather relevant data and information. See *Notice of Inquiry in Docket 20767,* 41 Fed. Reg. 14929 (1976).

Franchise Fees

A current rule making is pending to permit a certificate of compliance to be issued where the franchise fee exceeds three percent of gross subscriber revenues and an adequate justification is not provided to the Commission. See *Notice of Proposed Rule Making in Docket 20578,* 40 Fed. Reg. 34613 (1975). In those instances, the higher fee would be invalid, and a roll-back to three percent would be approved. In this regard, note that the franchise fees must be based only on gross subscriber revenues, not on revenues from extra services such as pay cable. A franchise fee between three percent and five percent must be justified by the franchising authority on the cost of the regulatory program, and the operator must demonstrate that it will not interfere with the operation of the system. The Commission does not contemplate the approval of fees that exceed five percent or that are based on other than gross subscriber revenues.

C. Definition of Cable Television System

The present definition of cable television system remains essentially unchanged since its adoption in 1965. Basically, it describes a cable television system as any facility which amplifies or otherwise modified signals transmitting programs broadcast by television or radio stations and distributes them to subscribers. In the 1972 rules a note was added to the definition to give it a community orientation—each separate and distinct community served by a cable television facility constitutes a separate system. The definition excludes facilities with fewer than 50 subscribers and those which serve apartment dwellings.

In August 1975, a new rule making proceeding was initiated to consider the following changes related to definition of a cable television system: (1) an increase in the size of cable systems (number of subscribers) exempted from regulation, or the creation of a category of small systems to which only limited regulation would apply, or some combination of both of these proposals; (2) the possible adoption of regulations for larger master antenna type facilities; (3) a change in the community orientation currently applied for all regulatory purposes and a corresponding increase in the use of a "headend" concept; and (4) adoption of appropriate grandfathering rules to ease the burdens of any displacements that might result from any changes in application of the rules. See *Notice of Proposed Rule Making in Docket 20561,* 54 FCC 2d 824, 40 Fed. Reg. 34155 (1975).

D. Signal Carriage

Television signal carriage depends on the geographic location of the community to be served by a cable system. The 1972 carriage rules set up standards of television service which vary with market size. The touchstone is whether a community is located wholly or partially within a 35-mile radius—called the specified zone—of a commercial television station licensed to a major or smaller television market.

"Must Carry" Signals

Certain television broadcast signals are required to be carried by cable television systems, upon request of the television station. Generally, systems located in major or smaller television markets must carry signals from the following broadcast sources:

- All television stations licensed to communities located within 35 miles of the cable system community.
- Noncommercial educational television stations within whose Grade B contour the system community is located.

- Commercial television translator stations with 100 watts or higher power serving the community of the system and noncommercial television translator stations with 5 watts or higher power serving the community.
- Stations whose signals are significantly viewed in the system community. Significant viewing standard: for network stations, a minimum 3 percent share of viewing hours and 25 percent net weekly circulation; for independent stations, a minimum of 2 percent share and 5 percent net weekly circulation.
- All Grade B signals from other smaller markets (applies to systems in smaller markets only).

Systems located outside of all markets must carry signals from the following sources:

- All stations within whose Grade B contour the system community is located.
- Commercial translator stations with 100 watts or higher power serving the community and noncommercial translators with 5 watts or higher power serving the community.
- Stations whose signals are significantly viewed in the community.
- All educational stations licensed to communities located within 35 miles of the system community.

"May Carry" Signals

A cable system may carry certain other signals, depending upon the size of market in which it is located, up to the following "complements":

First 50 Major Television Markets

Three full network stations and three independent stations.

Second 50 Major Television Markets

Three full network stations and two independent stations.

Smaller Television Markets

Three full network stations and one independent station.

Outside All Television Markets

No restrictions as to number or type of television signals.

These signal complements do not reflect any public right to more program diversity in some communities than in others. Rather, they reflect the Commission's television allocations policy, which is economically based in that the advertising revenues in densely populated areas can support a greater number of television stations than in sparsely populated areas.

In addition to the authorized complement of signals, cable systems in the major markets may carry two additional "bonus" independent stations. However, any distant signals that have been imported (usually via microwave relay) to meet the authorized complement must be deducted from the additional signals permitted. The rationale for permitting at least two additional signals in all major markets is simply that it appears that two signals normally not available in the community of the system is the minimum amount of new service needed to attract a significant number of subscribers and the large amounts of investment capital needed for the construction of new systems.

Cable systems in smaller markets may not import any "bonus" signals other than to meet the specified complement of three network stations and one independent. Under all four sets of carriage rules a cable system may carry more than the authorized complement if the signals are "local."

Leapfrogging Rules Deleted

According to the rules adopted in 1972, cable television systems within television markets were required to carry the closest network affiliates or the closest such stations within their state. Systems importing distant independents from a top-25 market were required to select them from the two closest top-25 markets. The Commission deleted these "leapfrogging" rules in its *Report and Order in Docket 20487,* 57 FCC 2d 625, 41 Fed. Reg. 3860 (1976), effective February 26, 1976. The new rules provide that cable systems may choose to carry non-must carry network affiliates from anywhere in the country. Those systems permitted to import two or fewer distant independent stations may select them from any market. Those permitted to import three distant independents may select them from anywhere as long as one of them is a UHF station.

Educational Stations

All educational stations within 35 miles of a cable system located outside of all television markets and all educational stations which place a Grade B contour over the community of a system located in major or smaller television markets must be carried by the cable system. Also, all non-commercial educational stations run by an agency of the state in which the system is located must be carried. Any additional educational stations may be carried if there are no convincing objections. These rules have remained unchanged since the 1972 *Cable Television Report and Order.*

Late-night Programming

In September 1974, the Commission amended its signal carriage rules to allow carriage, within certain limitations, of late-night programming (12:00 a.m. to 6:00 a.m.) of otherwise unauthorized signals. However, problems created by a "join-in-progress" approach prompted a reexamination of the rules since they prevented the availability of a program from start to finish. The rules were again modified in August 1975 to allow cable systems to begin the carriage of any television station's late-night programs at the sign-off of the last local "must carry" station or at 1:00 a.m. in the Eastern and Pacific time zones and midnight in the Central and Mountain time zones. *Report and Order in Docket 20028,* 48 FCC 2d 699, 39 Fed. Reg. 33528 (1974), and *Memorandum Opinion and Order in Docket 20028,* 54 FCC 2d 1182, 40 Fed. Reg. 39509 (1975).

Network News

The carriage rules were amended effective February 13, 1976, to allow cable systems to carry network news programs which are not broadcast on any stations carried by the systems at any time when no local station is broadcasting a news program. This action increases the network news availability for some cable subscribers. See *Report and Order in Docket 19859,* 57 FCC 2d 68 (1975), 41 Fed. Reg. 1063 (1976).

Specialty Stations

In Docket 20553 the Commission adopted rules classifying television stations carrying a significant amount (defined as 1/3 of prime time and 1/3 of all-day programming) of foreign language, religious or automated programming as "specialty" stations rather than independent stations for purposes of carriage by cable television systems. Therefore, cable systems may carry them without decreasing the number of independent signals which they may carry. The new rules were effective April 19, 1976. Originally, the rules only provided for unlimited carriage of "predominantly" foreign language signals. See *First Report and Order in Docket 20553,* 41 Fed. Reg. 10895 (1976).

Radio Signals

In 1972 the Commission issued a *Notice of Proposed Rule Making in Docket 19418,* 36 FCC 2d 630, 37 Fed. Reg. 3191 (1972), which proposed the enactment of rules governing cable carriage of radio signals. The Commission is still examining the issues involved in this proceeding.

E. Program Exclusivity

The Commission determined in 1965 that a cable system's duplication of a local television station's programming through the carriage of distant signals could constitute unfair competition with broadcasters. To equalize the conditions under which cable systems and broadcasters competed, and to ameliorate the risk that cable television would have an adverse economic impact on local television broadcasting service, the FCC adopted mandatory signal carriage and program exclusivity rules for microwave-served systems.

In 1966 the Commission asserted jurisdiction over all cable systems and adopted program exclusivity provisions which required that a cable system located within the Grade B or higher signal contour of a television station, upon request of the station licensee or permittee, maintain that station's exclusivity as a program outlet against lower priority duplicating signals also carried on the same day by the cable system. This became known as "same day nonduplication" protection. Priorities under this rule were assigned on the basis of television stations' predicted signal strength contours: Principal Community, Grade A, Grade B, and a fourth priority for television translator stations with 100 watts or higher power licensed to the cable community.

Network Program Exclusivity

In 1972, in connection with the adoption of new cable television rules, the network program exclusivity provisions were revised to reduce the period of required nonduplication protection from same day to simultaneous duplication, except in the Mountain Time Zone.

The following major changes were adopted in April 1975 in the *First Report and Order in 19995,* 52 FCC 2d 519, 40 Fed. Reg. 17724 (1975), to bring these rules to their present state:

1 Dual Channel Carriage

Whenever a local station's programming is protected, a cable system may carry the local station on the channel reserved for the programming of the more distant duplicating signal. Under the former rules the protected station could be carried only on one channel, which often resulted in a blacked out channel.

2 Specified Zones

The nonduplication priorities have been replaced by fixed specified zones of protection—a 35-mile zone of protection for stations licensed to major television markets and a 55-mile zone for those licensed to smaller markets.

3 Translator Stations

These stations located within the predicted Grade B contour of their parent station are entitled to nonduplication protection against the duplicating network programming of stations which are more than 55 miles away from the cable system community. In addition, translators licensed to a cable community need not be blacked out to protect other stations.

4 Exemption for Small Systems

Systems serving fewer than 1,000 subscribers per headend are exempted from the requirements of the nonduplication rules. The 1972 rules, which provided no exemptions, were amended in 1974 to exempt systems with fewer than 500 subscribers in the cable system community.

The new rules address several additional matters. First, television stations seeking nonduplication protection must submit their request to cable systems at least six days prior to the broadcast of the program to be protected and are required to notify the system of last minute schedule changes. The *First Report and Order in Docket 19995* includes a sample notification form. Second, the new rules address the problem of program over-runs by allowing a one hour "grace period" during which nonduplication protection need not be provided. The rules do not provide grandfathering rights for either cable systems or television stations with respect to any of the nonduplication rules. Third, stations located in Mountain Time Zone are now entitled only to simultaneous rather than same-day nonduplication protection. However, the Commission recognizes that some of these stations may require, and may request, more protection. See *Second Report and Order in Docket 19995*, 54 FCC 2d 229, 40 Fed. Reg. 30650 (1975). The only remaining issue in this proceeding involves "significantly viewed" stations. A *Further Notice of Proposed Rule Making in Docket 19995* addresses the problem of requiring nonduplication protection against television signals which are commonly available off-the-air in the cable community.

Broadcast Sports Programming

In June 1975 the Commission adopted for the first time a rule concerning carriage of broadcast sports programming. In general the rule prohibits cable television systems from carrying local sports events broadcast by distant television signals when those events are not available on local television stations. The purpose of this rule is to maintain the integrity of local television sports blackouts. See *Report and Order in Docket 19417*, 54 FCC 2d 265, 40 Fed. Reg. 30641 (1975). The Commission amended the rule, effective November 14, 1975, to require that notice of programming deletions be given by the holder of the broadcast rights at least no later than Monday preceding the calendar week during which deletions are desired. Programming from any other television station may be substituted for the deleted program. *Memorandum Opinion and Order in Docket 19417*, 56 FCC 2d 561, 40 Fed. Reg. 53027 (1975).

Syndicated Program Exclusivity

Between 1965 and 1972 the Commission's program exclusivity or nonduplication rules were applied both to network and syndicated programming. These rules required cable television systems, at the request of local stations as defined in the rules, to delete certain programming from lower priority stations' signals. The rules in the *Cable Television Report and Order* of 1972 made a distinction between network and syndicated programming.

The syndicated program exclusivity rules require that a cable system in the first 50 major markets, upon receipt of notification, cease carrying syndicated programming from a distant signal during a pre-clearance period of one year from the date that such programs are sold for the first time as syndicated programs in the United States. And a cable system located in any major market may not carry a syndicated program to which a commercial television station, licensed to a designated community in the market, has exclusive broadcast exhibition rights. However, there are several exceptions to this prohibition for cable systems located in one of the second 50 major markets.

When a program is deleted pursuant to the syndicated program exclusivity rules a cable system may substitute programming, not otherwise subject to deletion, from any other television broadcast station.

F. Pay Cable

The Commission has been concerned since the early 1950's that the development of subscription television operations, either broadcasting over-the-air or on cable television systems, could result in a loss of conventional television service to the public. To guard against this eventuality the Commission in 1968 adopted rules governing over-the-air subscription television, following extensive proceedings. These rules were later applied to the distribution of cable television cablecast programming for which specific per program or per channel charges are made.

In 1972 the Commission commenced a rule making proceeding (Docket 19554) which resulted in the adoption on March 20, 1975, of new rules regulating subscription programming. The new rules continue to reflect the Commission's policy that the public's access to programming now delivered by conventional television at no direct cost to viewers should not be diminished by subscription operations.

The new rules, though complex, generally provide that only feature films less than three years old, those presently under contract to local television stations, and those not generally desired for conventional telecast may be shown on a subscription basis; sports events shown on conventional television any time during the preceding five years may not be shown. Additionally, no commercial advertising is permitted in connection with the presentation of subscription programming and no more than 90 percent of the total programming may consist of sports and feature films. See *First Report and Order in Dockets 19554 and 18893,* 52 FCC 2d 1, 40 Fed. Reg. 15546 (1975).

In a *Second Report and Order in Docket 19554,* 40 Fed. Reg. 52731 (1975), the Commission deleted the rule restricting the subscription use of series programs by cable systems. The general question of warehousing of feature films is being considered in a *Notice of Inquiry in Docket 20402,* 52 FCC 2d 87, 40 Fed. Reg. 15576 (1975). The inquiry concerns whether or not broadcast and pay television can buy exclusive rights to programming against each other.

In the *Clarification* of cable rules the Commission reaffirmed its policy that local authorities were preempted from interfering with nonbroadcast channels provided by

cable television systems, including those used for subscription programming. In the proceeding in Docket 19554 the Commission clarified this policy, stating that the complex nature of subscription cablecasting and broadcasting, with implications not coincident with state boundaries, dictates that its regulations emanate from a single source, and that determinations as to when and how to regulate the services must be made at the federal level.

G. Regulation of Nonbroadcast Channels

Although television broadcast signals have been the staple cable service heretofore, the Commission envisioned in 1972 "a future for cable in which the principal services, channel uses, and potential sources of income will be from other than over-the-air signals." Thus, rules were established concerning public, education, local government and leased access channels; minimum channel capacity; and two-way communications. They applied to cable systems in major television markets only; however, cable systems outside of major markets could be required by local authorities to require access or origination services, in which case they would be subject to Commission rules concerning program content control, assessment of costs, and the formulation of operating rules.

While the Commission encourages experimentation, the rules preclude local regulation of access channels, except government access channels. Franchising authorities may not require more access channels or more extensive two-way operation without specific Commission authorization. Cable operators may not censor or exercise any program content control over material presented on access channels and may not discriminate in making these channels available.

Channel Capacity

The Commission specified in 1972 that, in major television markets, actual or potential capacity of 20 channels for broadcast and nonbroadcast service was "the minimum consistent with the public interest." Additionally, for each broadcast signal carried, cable systems in these markets were to be capable of providing another channel for nonbroadcast services ("one-for-one" rule).

Systems in major markets which began operating prior to March 31, 1972, did not have to comply with these requirements until March 31, 1977. However, in the proceeding in Docket 20363 the Commission canceled this deadline. Furthermore, in its *Report and Order in Docket 20508,* adopted April 1, 1976, the Commission deleted the major market criterion of the channel capacity requirements. Under the new rules, systems in operation as of March 31, 1972, which currently have less than 20-channel capacity and 3,500 or more subscribers on a "headend" basis would be required to reconstruct to comply with channel capacity requirements by within 10 years. Those systems with 3,500 or more subscribers which already possess 20-channel capacity are not required to rebuild to provide two-way channel capacity. However, new systems with 3,500 or more subscribers are required to provide two-way capacity.

Access Channels

The 1972 *Cable Television Report and Order* provided that cable systems in the major markets must maintain at least one channel each for public, education, government, and leased access; and in addition, other portions of their nonbroadcast bandwidth were to be used for leased purposes.

Systems in major markets which began operating prior to March 31, 1972, did not have to comply with these requirements until March 31, 1977. However, if they added television signals to their operations prior to March 31, 1977, they were required to comply with the "one-for-one" rule. In the proceeding in Docket 20363 the Commission canceled the March 31, 1977, deadline for compliance with the access channel requirements and suspended any rebuild requirements pending the outcome of the proceeding in Docket 20508.

Under the new rules in Docket 20508, all systems with 3,500 or more subscribers, regardless of market, are required to provide up to four access channels if they have sufficient activated channel capability to do so and there is demand for full time use of such channels. Otherwise, they are required to provide composite access services. No system is required to rebuild or add converters to provide access channels. In addition, the Commission deleted the one-for-one rule.

Origination Cablecasting

A cable system may wish to originate programs, the content of which is subject to the system's exclusive control. Such programming is called "origination cablecasting." In 1969 the Commission adopted rules concerning mandatory origination, requiring cable operators of systems with 3,500 or more subscribers to originate programming. This rule was deleted upon adoption of new rules in 1974 (Docket 19988). The present rules, do not require a cable operator to originate programming; however, they require the operator to have cablecasting equipment available for public use if the system serves 3,500 or more subscribers.

If a cable system operator engages in origination cablecasting, the operator is subject to rules concerning cablecasts by candidates for public office, handling of controversial issues of public importance (use of Fairness doctrine), lotteries, obscenity, and sponsorship identification.

H. Cable System Ownership

In separate proceedings concluded in February 1970 (Docket 18509) and in June 1970 (Docket 18397), the Commission prohibited cable system ownership by telephone companies within their local exchange areas, by television stations within the same market, by national television networks anywhere in the country, and by television translator stations in the same community as the cable system.

The prohibition against telephone company ownership is designed to eliminate potential anti-competitive and discriminatory practices that could evolve from the local telephone company's monopoly position in the community it serves and its ownership of utility poles, which usually carry the cable system's distribution cables. This rule does not prevent telephone companies from owning cable systems outside their local exchange area or from providing cable facilities (channel distribution service) on a lease or tariff basis for use by an unaffiliated system.

The Commission's rule prohibiting certain types of television-cable cross-ownerships takes into account the growing role of cable systems as program originators and is designed to ensure vigorous competition among the mass media and to obtain for the public the greatest possible diversity of control over local mass communications media.

In January 1973 the Commission denied petitions for reconsideration of these television-cable cross-ownership rules. At the same time, however, it extended the grace period for divestitures two years, to August 10, 1975, and invited parties affected by the rules to file petitions for waiver of the mandatory divestiture requirement. In September

1975 the Commission further amended this rule to cause divestiture only in those situations which the Commission identifies as "egregious." See *Second Report and Order in Docket 20423*, 55 FCC 2d 540, 40 Fed. Reg. 44551 (1975).

As part of its continuing concern with patterns of media ownership, the Commission is investigating whether cable system ownership by radio stations and local daily newspapers should be prohibited. An additional question is whether there should be an upper limit on the number of cable systems owned by a single entity nationally or on a regional basis. The Commission has concluded that no rules limiting cable-radio or cable-newspaper cross-ownership are required at the present time but is continuing its study of these matters. See *First Report and Order in Docket 18891*, 52 FCC 2d 170, 40 Fed. Reg. 14101 (1975).

I. Technical Performance Requirements

In order to assure the delivery of satisfactory television broadcast signals to cable television subscribers, the Commission adopted technical performance requirements in 1972. These requirements, however, do not apply to other types of cable services (such as access channels), cable television receivers, frequency allocations within the cable network, "ghosting," and cable carriage of AM and FM programming. In general, the rules require every cable operator to conduct annual performance tests and to use these results to determine if the system is performing satisfactorily.

The Commission has preempted the area of technical performance requirements to prevent establishment of nonuniform requirements which might hinder system interconnectability and impede the development and marketing of new cable services and equipment.

In 1972 the Commission established a Cable Television Technical Advisory Committee (CTAC), consisting of representatives of states and municipal organizations, the cable television industry, public interest groups, and consulting engineers. In 1975 the Committee submitted its lengthy report to aid the Commission in developing new and more appropriate technical performance requirements. See Cable Technical Advisory Committee Report, FCC Report No. FCC-CTB-75-01, May 1975.

As a result of CTAC recommendations, consideration is being given to modifications in several areas, including: (1) definition of cable television system and major subsystems for purposes of technical regulation; (2) definitions of technical terms, particularly "decibels cable"—a new means of describing signal-to-noise ratios based on a simpler method of calculation; and (3) frequency channeling plans, cable compatible receivers, signal level, synchronizing pulse amplitude and waveform, time base stability of video tape recorders, and distortion measurements.

Experience has shown that the technical rules need to specify, for cable operators, the public and FCC field inspectors, measurement procedures to enable them to tell when the standards are being met. The Commission plans to publish a collection of acceptable measurement procedures which will recognize different cost constraints and different test equipment available among cable systems.

J. Pole Attachment

Cable systems generally are constructed by stringing coaxial cable on existing poles owned by telephone or electric utility companies. Cable systems also may set their own poles, place their coaxial cable underground, or obtain transmission facilities from the local telephone companies.

In January 1970 (Docket 18509) the Commission adopted rules requiring that telephone companies offering cable channel distribution service to cable operators also must make pole attachment rights available to cable companies at reasonable charges and without undue restrictions on the uses that may be made of the cable attached to their poles. The Commission also has instituted an investigatory rule making proceeding (Docket 16928) into the practices and policies of telephone and electric utility companies and others in permitting cable systems to use their poles, and to ascertain the jurisdiction of the FCC over these policies and practices.

In August 1973 the Commission issued a public notice that the staff had been instructed to draft documents asserting jurisdiction over pole attachments and conduct agreements and arrangements for cable television usage, such jurisdiction to be exercised where adequate provisions had not been made by state or other local jurisdictions. The notice also encouraged interested parties to negotiate mutually satisfactory agreements. In September 1975 the Commission devised a formula for which prices were derived to assist in negotiations between the National Cable Television Association and the American Telephone and Telegraph Company with respect to pole attachment fees. As a result, the parties agreed to increase rates only in California and Pennsylvania and to maintain the status quo until January 1, 1979. Following this agreement, usage of the pricing formula was commended by the FCC to all parties involved in such negotiations.

K. Microwave Auxiliary Facilities

Cable systems, in addition to providing subscribers with off-the-air signals, also obtain signals, sometimes from hundreds of miles away, through microwave radio stations. Microwave relay service is available from common carriers in many areas, or cable systems may prefer to operate their own relay stations licensed in the Cable Television Relay Service (CARS).

By *Report and Order* of November 7, 1969 (Docket 17999), Cable Television Relay Stations were authorized to carry cablecast programming. The CARS rules were further amended to authorize licensing of mobile remote pickup stations for the transmission of programming from the scenes of events outside a studio back to the cable studio or headend, and to provide for the licensing of studio-to-headend link (SHL) stations.

In a separate proceeding (Docket 18452), the FCC on November 7, 1969, adopted rules authorizing a cable local distribution service in the CARS band. These rules contemplate local distribution stations within a cable system, in place of cable, in order to relay program material from a central distribution point to multiple receiving sites within the system.

The CARS rules, adopted prior to 1972, remain basically unchanged, with the exception of minor amendments. Most amendments to CARS rules have been editorial in nature and have not required formal rule making proceedings. In January 1976, the Commission adopted a new form for CARS applications (FCC Form 327).

Certain fees must accompany applications: $20.00 for a construction permit; $5.00 each for license or renewal, for modification of a construction permit or license, for reinstatement of an expired construction permit or license; and $10.00 for assignment of license or of construction permit, or transfer of control.

The CARS rules provide that only cable television system owners or operators of their cooperative enterprises are eligible to be CARS licensees. The service is designed to enable a cable system operator to serve his cable system. However, the rules further state that a CARS licensee also may serve nonaffiliated cable systems based on a cost-sharing, nonprofit arrangement. Such arrangements permit the delivery of cable television programming in instances where the economies might otherwise prevent a small system from utilizing microwave transmission.

The recent advent of satellite-earth station transmission capability adds another dimension to microwave communications. The interface between a receive-only earth station and a CARS network now offers greater flexibility in the distribution of programming to cable systems and a relatively inexpensive means of providing a long-haul transmission capability.

L. Equal Employment Opportunity

Nondiscrimination rules were adopted shortly following the 1972 *Report and Order* and have remained unchanged. All operators of cable television systems and cable television relay stations are required to afford equal opportunity in employment to all qualified persons and are prohibited from discriminating in employment because of race, color, religion, national origin, or sex.

The rules require all cable operators and CARS licensees to establish and maintain programs designed to assure equal opportunity for females, Blacks, Orientals, American Indians, and Spanish-surnamed Americans in such aspects of employment practice as recruitment, selection, training, placement, promotion, pay, working conditions, demotion, layoff and termination.

In addition, if systems have five or more full-time employees, they must keep on file with the Commission an up-to-date statement of their equal opportunity program. They also must submit an annual statistical employment report (FCC Form 395) and describe any complaints which have been filed regarding violations of equal employment provisions of federal, state, territorial or local law.

M. Annual Report Forms

The Commission requires every cable system to file two principal annual report forms—FCC Form 325 (general information, cable services, and ownership data) and FCC Form 326 (financial information). All data are solicited on a community-by-community basis. Information on Form 326 is not routinely available for public inspection because of its proprietary nature; however, data from both forms is used by the Commission in cable policy and research efforts. The style of these forms was changed in 1975 to conform to computerization requirements.

3 Citizen Participation in Regulatory Processes

The Commission encourages meaningful input from the public. In March 1976 it established a Consumer Assistance Office to assist persons who seek to participate in FCC processes but who may be unfamiliar with the procedures. Inquiries to this office may be made by telephone (202/632-7000) or they may be addressed to Consumer Assistance Office, Room 258, FCC, 1919 M Street, N.W., Washington, D.C. 20054.

Any member of the public may participate in format adjudicatory proceedings before the Commission. These may involve applications for certificates of compliance, petitions for waiver of the rules or other special relief, and show cause requests. Procedures for participation are described below. Although the procedures emphasize informal presentations, the filing of an original and nine copies of any pleading is recommended for maximum exposure of one's point of view to Commission staff.

A. Oppositions to CAC Applications

FCC processing of an application for certificate of compliance gives citizens an opportunity to raise any issue concerning a system's compliance with the rules. An individual or group may comment by filing an "opposition" to an application. Such opposition need not be long and legalistic; a short and simple document is sufficient, as long as it sets out basic allegations of fact and some supporting documentation—for example, affidavits, minutes of local government meetings, etc. Copies of any opposition should be sent to the cable system, the franchising authority, and the Commission. FCC rules allow any person to file an opposition to a certificate application within 30 days after the Commission gives public notice of the application.

Although the public notices are not distributed throughout the country, a listing of applications may be obtained from any one of several trade publications. Moreover, a cable system must serve a copy of its application upon the local regulatory or franchising body and must make it available for public inspection. By reading trade publications and keeping in touch with local officials, the public thus can learn when a cable system has filed a certificate of compliance application.

B. Requests for Special Relief or Waiver

The Commission's rules allow a cable system to seek special relief or waiver of any rule at any time. Opposition to such requests must be filed within 30 days after the requests has been submitted. The FCC gives public notice of these requests and the public usually may obtain a list of such filings through the channels noted above.

In addition, cable systems must make copies of special relief and waiver requests available locally for inspection. As in the case of certificate applications, a citizens' group or an individual may challenge the request for special relief or waiver by filing an opposition. Once again, an opposition must be intelligible, supported by appropriate documentation, and should reflect the position of an "interested party." Copies should be sent to the cable system, the franchising authority, and the Commission.

C. Orders to Show Cause

The Commission's issuance of an order to show cause begins a proceeding similar to a civil suit for an injunction; if the complainant prevails at the hearing, the Commission issues a cease and desist order. Interested parties may begin such a proceeding by filing with the Commission a petition for issuance of an order to show cause, which is subsequently placed on public notice.

Such petitions usually seek to remedy an alleged violation of the Commission's rules. A copy of the petition should be sent to the cable system and other interested parties. It is possible, however, for an individual or group to join a cable system in *opposing* a request for an order to show cause. Once all the pleadings have been submitted, the Commission reviews the arguments and determines whether an order to show cause should be issued.

D. Rule Making Proceedings

The Commission continually is in the process of adopting new rules or amending old ones. Since many of these rules have widespread impact, the public may wish to participate.

The rule making process usually begins with the issuance of a "notice of proposed rule making" by the FCC. As the name implies, such a notice proposes a particular rule and

invites public comments within a specified time period—usually 30 days or more. The notice is published in the Federal Register, which is available in major libraries. Also, trade publications generally report the issuance of a rule making notice.

The rules require that an original and 11 copies of comments be filed. If one submits only an original, this may greatly decrease the number of Commission officials who will see it. Thus, it is important to file the required number of copies.

Anyone may petition the FCC to adopt a rule at any time. Such a petition should set forth the text or substance of the proposed rule and provide supporting views, arguments and data. Again, it is preferable to file an original and 11 copies.

E. Local Public Records

In March 1974 the Commission initiated a new proceeding questioning whether the cable television rules provided "adequate procedures for public participation in our processes." It further noted that: "If the public is to play an informed role in the regulation of cable television, it must have at least basic information about a system's operations and proposals." Thus, new rules were adopted, effective September 1974, and amended in May 1975, to specify the records which a cable system must maintain locally for public inspection. These records generally include a copy of the franchise, application(s) for certificate of compliance, any petitions for special relief or show cause, and FCC annual reports. They must be maintained at the system's local office or another accessible place in the community. See *Report and Order in Docket 19948,* 48 FCC 2d 72, 39 Fed. Reg. 29185 (1974), and *Memorandum Opinion and Order in Docket 19948*, 53 FCC 2d 506, 40 Fed. Reg. 25022 (1975).

F. Cable Complaint Service

In January 1974 the FCC Cable Television Bureau established a Cable Complaint Service to deal with a number of problems involving cable television systems. Its functions include: (1) attempting to clear up misunderstandings between subscribers (and/or state and local governments) and cable systems with regard to Commission rules; (2) dealing with complaints about a system's service; and (3) helping local governments to structure complaint procedures. The Service attempts to resolve disputes on an informal basis; where merited, however, it may request that an FCC investigation be conducted and/or may institute formal legal action.

Under the dual jurisdictional approach exercised by the Commission and state and local authorities over cable television, several important areas of consumer concern are administered by local authorities instead of the FCC. These areas include subscriber rates and installation fees, inaccurate bills and questionable billing practices, damage to property, illegal taps, extention of cable service to individual homes and businesses, repairs, improper wiring, and false or misleading advertising concerning the cable system's capabilities.

The Cable Complaint Service is interested particularly in technical quality and interference problems. However, knowing the origin of the problem is the first step in determining where to direct a complaint. For example, if a broadcast television station which is carried by the cable system experiences frequent outages or distortions, the complaint should be filed with the Complaints and Compliance Division of the FCC's Broadcast Bureau. Interference generated by Citizens Band or amateur radio station operations should be addressed to the Commission's Field Operations Bureau. Problems involving Master Antenna Systems (MATV) should be directed to consumer groups or other community organizations, since such operations are not regulated by the Commission.

Complaints related to FCC cable regulations may be filed by writing to the Cable Compliant Service, Cable Television Bureau, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554, or by calling (202) 632-9703.

G. Cable Television Bureau

The FCC's Cable Television Bureau is responsible for implementing the Commission's cable Television regulatory program. It is composed of four operating Divisions—Certificates of Compliance, Special Relief and Microwave, Policy Review and Development, and Research.

Members of the Bureau's staff welcome inquiries from the public. By contacting the appropriate division listed below, a person can obtain assistance in participating in the Commission's processes.

Bureau Organization	Telephone (Area Code 202)
Office of Bureau Chief	632-6480
Certificates of Compliance Division	254-3407
Policy Review and Development Division (Rule Makings)	632-6468
Research Division	632-9797
Special Relief and Microwave Division	632-8882
Special Relief and Enforcement Branch (& Cable Complaint Service)	254-9703
Microwave Branch	254-3420
Records and Systems Management Branch (Public Reference Room)	632-7076

The Cable Television Bureau is located at 2025 M Street, N.W., 6th floor. The following mailing address should be used: Cable Television Bureau, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

4 How to Obtain the Rules

Every cable operator is required by the FCC to have an up-to-date copy of the Cable Television Rules and Regulations (47 CFR Part 76) and to keep track of Commission actions that might alter them. These rules are available in loose leaf form on a subscription basis through the Superintendent of Documents, U. S. Government Printing Office, Washington, D.C. 20401. Changes in the rules are forwarded to subscribers within a few months after their adoption by the Commission, without additional charges. To order, request Volume III of the FCC Rules and Regulations, September 1972 edition (Catalog No. CC 1.6/3:972; Price: $12.15). A new Volume XI containing Parts 76 (Cable Television Service) and 78 (Cable Television Relay Service) will be issued in 1976. Current subscribers to Volume III will be notified concerning this change.

Another means of keeping informed of rule changes is through the *Federal Register,* published daily by the Office of Federal Register and distributed by the U.S. Government Printing Office (address above). A yearly subscription to the *Federal Register* is $50.00 (Catalog No. GS 4.107). The Office of Federal Register also publishes an annual cumulation of the rules as Code of Federal Regulations, Title 47, Parts 70-79. This publication is revised as of October 1 each year and is available in paperback from the above address for $4.60 (Catalog No. GS 4.108:47 Parts 70-79).

A pamphlet containing policy documents and the rules adopted in 1972, entitled *Cable Television Report and Order and Reconsideration,* is available upon request from the Cable Television Bureau.

SECTION II

Exhibits

- FCC FORM 325—ANNUAL REPORT OF CABLE TELEVISION SYSTEMS
- FCC FORM 326—CABLE TELEVISION ANNUAL FINANCIAL REPORT
- FCC FORM 327—APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION
- FCC FORM 395—ANNUAL EMPLOYMENT REPORT 1975

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

INSTRUCTIONS FOR COMPLETION OF FCC FORM 325
(August 1975 Edition)

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

General Instructions:

The Annual Report of Cable Television Systems (FCC Form 325) consists of the following schedules:

Schedule 1 - Community Unit. One schedule must be filed for each unit. A Community Unit is that segment of a cable television system located within each separate and distinct community or municipal entity (including single, discrete, unincorporated areas) serving 50 or more subscribers.

Schedule 2 - Common Local Service Unit. One schedule must be filed for each integral facility which furnishes identical services and capabilities to all subscribers, i.e., each broadband distribution system.

Schedule 3 - Operator Ownership Structure. One or more schedules must be filed to describe the operator's ownership structure. The number is determined by the complexity of the structure, and is fully described in the instructions for Schedule 3.

Schedule 4 - Controlling Persons. One schedule must be filed for each controlling person or corporation listed in Block 7 of Schedule 3.

Each Cable Television Operator is responsible for filing all the required information. An Operator is a natural or artificial (incorporated) person or persons (partnership) who provide a broadband signal distribution service by means of a cable television system. In some situations, such as the use of Schedule 4 sheets, redundant copies need not be filed.

Note: All required information must be filed on FCC Form 325 (Schedules 1-4) using the number of character spaces provided. Additional copies of these may be produced by photoduplication or obtained from the Commission. Incorporation of information by reference to other data on file with the Commission or any other agency will not be allowed. Print clearly with ink or type.

These forms shall be completed and filed (one copy) with the Cable Television Bureau, Federal Communications Commission, Washington, D. C. 20554, on or before January 1, 1976. The information filed must be current as of the day of filing unless otherwise indicated on the form.

If questions arise, contact the Research Division, Cable Television Bureau, Federal Communications Commission. Phone: 202-632-9797.

DO NOT RETURN THESE INSTRUCTIONS

To be complete, each Schedule 1 must be certified in the space provided by the Cable Television Operator and Schedules 2, 3 and 4 must individually specify the person who has completed the particular schedule. If the Operator is an incorporated entity, an officer must certify; if a partnership (including associations unincorporated), the partner or person who has control over the operations of the system.

NOTICE CONCERNING THE SOLICITATION OF PERSONAL INFORMATION ON FCC FORM 325

Pursuant to the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), the Federal Communications Commission hereby informs those cable television operators who are real persons supplying information on FCC Form 325:

(1) the disclosure of said information is solicited under the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-155, 301, 302a, 303, 307, 308 & 403;

(2) the disclosure of said information is mandatory;

(3) the principal purpose of said information is to provide basic technological, financial, public service, and ownership data concerning the communications business and service activities of the operator;

(4) said information is routinely used in the processing of actions filed with the Commission; it is also used to assemble general industry statistics for abstract analysis or rule making proceedings;

(5) failure to provide said information may result in the authorization not being granted or specific relief by the Commission; it may also result in appropriate enforcement action against said operator by the Commission.

NOTICE CONCERNING THE SOLICITATION OF SOCIAL SECURITY ACCOUNT NUMBERS ON FCC FORM 325

Pursuant to Sec. 7(b) of the Privacy Act of 1974, 5 U.S.C. § 552a note, the Federal Communications Commission hereby informs those cable television operators who are required to use their Social Security Number on this form that:

(1) the disclosure of said social security account number under the above conditions is mandatory;

(2) disclosure is solicited under Sections 76.401 thru 76.409 of the Commission's Rules as well as 47 U.S.C. §§ 151-155, 301, 302a, 303, 307, 308 & 403;

(3) said social security account number shall be used solely as a unique identifier within the Commission's existing system of records. It is used in lieu of the Commission developing its own system of unique identifiers.

USE OF SCHEDULE 1

Schedule 1 of FCC Form 325 is used to provide certain basic information concerning each community unit. A community unit is that segment of a cable television system located within each separate and distinct community or municipal entity (including discrete, unincorporated areas) serving 50 or more subscribers.

PREPARING SCHEDULE 1

Remove one of the labels supplied with the mailing cover of the form and place it in the space provided. If a label has not been provided, fill in blocks 1 thru 10. If any of the information on the label is incorrect or missing, place the correct information in the appropriate block.

Note: All required information must be filed on the schedule using the number of character spaces provided. Additional copies of Schedule 1 may be produced by photoduplication or obtained from the Commission. Incorporation of information by reference to other data on file with the Commission or any other agency will not be allowed.

Block 1. The FCC Unit code is the unique 6 character identifier which the Commission has assigned to each operator for a particular community unit, e.g. NY1ØØ6. If a code has never been assigned (any operator who has dealt with the Commission concerning any community has been assigned a code), indicate this in a cover letter when returning the forms.

Block 2. The Community Name is abbreviated using the U.S. Postal Service abbreviation list found in the Zip Code Directory.

Block 3. The Type Code represents the kinds of places which are usually described as communities. They are as follows:

INCORPORATED PLACES	UNINCORPORATED PLACES
2 - Township	0 - Settlement unnamed; area within county
3 - Borough	1 - Settlement adjacent to incorporated place
4 - City	7 - Settlement named by common usage
5 - Town	8 - Settlement privately owned
6 - Village	9 - State or federal government reservation

Block 4. The County Name is the county or parish in which a majorit or all of the system community is located.

Block 5. The State Name is the state in which the system community is located.

Block 6. Indicate the full legal name of the operator. Do not use any assumed name for doing business. If the Operator is a real person: use the last name first, a comma and blank space, the first name, a blank space and any middle initial. If the Operator is an artificail person (incorporated): use the full name of incorporation, including the abbreviation CORP or INC. If the Operator is a group of persons: use the name of the controlling person (person as used here can include a corporation) followed by the words ET AL (Latin for "and others").

Block 7. Indicate the Assumed Name of the Operator (the trade name under which business is done in the community) - if it is different from the operator's legal name.

Blocks 8-11. Use these blocks to list the mailing address where the operator wishes to receive all FCC communications concerning the community unit. Do not list a street address along with a post office box. Use standard U.S. Postal Service abbreviations.

Block 12. Indicate the Internal Revenue Service Employer Identification (E.I.) Number used by the operator in the community. If the operator is an individual person and pays no employees and has never obtained an E.I. Number, use the individual person's social security number.

Block 13. Indicate in this block the number of subscribers in the community. This is done by totaling the number of single-family dwelling subscribers. Then, for each multiple-family dwelling where service is provided to the building alone (apartments, etc. which have their own internal distribution facility), divide the amount charged the dwelling by the amount charged a single-family dwelling subscriber. Add to the total single-family dwelling subscribers for a grant total.

For example,

Single Family Dwelling Subscribers = 500

Centerville Apartment House is furnished service for $100 per month. A single family dwelling pays $5 per month. 100/5 = 20 subscribers. Centerville Apartment House is counted as having 20 subscribers.

If Centerville Apartment House were the only multiple family dwelling in the system community, the 20 subscribers would be added to 500 for a grand total of 520 subscribers in the community.

Block 14. Indicate the length of the broadband distribution system (excluding drops) in kilometers (multiply miles by 1.6 to get kilometers) which is located within the community.

Block 15. Indicate the estimated number of subscribers, using the method described above, which could be served by drops from the existing distribution system in the community (homes passed).

Block 16. Indicate the population of the community as listed in the 1970 U.S. census. If the community is not listed in the census, estimate the population.

Block 17. Indicate the month and year service was first initiated to the community by the existing cable plant or previous plants, irrespective of ownership.

THE CABLE TELEVISION OPERATOR MUST CERTIFY SCHEDULE 1 IN THE SPACE PROVIDED

USE OF SCHEDULE 2

Schedule 2 of FCC Form 325 is used to provide information concerning each integral facility which furnishes identical services and capabilities to all connected subscribers, i.e., each broadband distribution system. This integral facility is referred to as a "common local service unit."

PREPARING SCHEDULE 2

Note: All required information must be filed on the schedule using the number of character spaces provided. Additional copies of Schedule 2 may be produced by photoduplication or obtained from the Commission. Incorporation of information by reference to information on file with the Commission or any other agency will not be allowed.

Block 1. Indicate the full legal name of the operator. Do not use any assumed name for doing business. If the Operator is a real person: use the last name first, a comma and blank space, the first name, a blank space and any middle initial. If the Operator is an artificial person (incorporated): use the full name of incorporation, including the abbreviation CORP or INC. If the Operator is a group of persons: use the name of the controlling person (person as used here can include a corporation) followed by the words ET AL (Latin for "and others").

Block 2. Indicate the Internal Revenue Service Employer Identification (E.I.) Number used by the operator in the community. If the operator is an individual person and pays no employees and has never obtained an E.I. Number, use the individual person's social security number.

Block 3. Indicate the FCC Code for each community served by the Common Local Service Unit reported on Schedule 2.

Block 4. Prepare the table of Broadcast Signals Carried (use Block 5 to report carriage of the entire FM Broadcast band), indicating:

(1) Station Call Sign (exactly as assigned, e.g., WXYZ-TV. Note the dash and the letters TV or FM are actually part of the Call Sign of some stations).
(2) Type Designation (1-TV, 2-FM, 3-Standard Broadcast, 4-other)
(3) Channel as broadcast (for TV Broadcast stations only)
(4) Channel as Carried on Cable (for TV Broadcast stations only)
(5) Channel Sharing (Place an "X" if the channel is not dedicated to the station at all times).
(6) Signal Source AT THE TRUNK INPUT (1-received "off-the-air"
2-received via private microwave link, i.e., CARS or Business Radio
3-received via common carrier link
4-received via wire link to the station).

Block 5. Place an X in this block if the entire FM Broadcast Band is carried.

Block 6. Indicate a typical one week period in September 1975 and prepare the table of automated Non-Broadcast Signals Carried indicating for the listed programming:

Hours per week
Channel as Carried on Cable
Channel Sharing (Place an "X" if the channel is not dedicated to the station at all times).

Block 7. Prepare the table of non-automated Non-Broadcast Signals Carried indicating the listed program types for the indicated week:

Hours per week
Channel as Carried on Cable
Channel Sharing (Place an "X" if the channel is not dedicated to the station at all times).
Signal Source Equipment (1-local studio, 2-video tape, 3-film chain, 4-external feed).

Block 8. Indicate the number of automated and non-automated public service announcements for the indicated week.

Block 9. Indicate the number of hours of advertising originated during the indicated week in automated and non-automated categories.

Block 10. Place an X in this block if channel lessees are permitted to advertise.

Block 11. Indicate the number of local, regional and national advertising clients.

Block 12. If any of the listed data services are furnished, place an X adjacent to the service.

Block 13. Indicate the total channel capacity of the trunk distribution system, the total used, the number of government access channels, educational access channels, public access and leased channels. Total channel capacity is the number of 6 MHz channels which can be simultaneously distributed on the Broadband distribution system (exclusive of both signal source equipment and terminal equipment).

INDICATE THE PERSON PREPARING SCHEDULE 2 IN THE SPACE PROVIDED

USE OF SCHEDULE 3

Schedule 3 of FCC Form 325 is used to provide ownership structure information concerning each operator. This is done by preparing one Schedule 3 for the operator, one for each corporation or business entity which owns 25% or more of it, one for each entity of which it owns 25% or more. . .and so forth up and down the "family tree." The number of Schedule 3's filed depends on the complexity of the ownership structure of the operator.

Example 1: Jones, Jack C. d/b/a TV Cable Co. is a real person who operates in 4 communities. Operator Jones (Disregard assumed names for doing business) will fill out one Schedule 3.

Example 2: Conglomerate Cable Co. Inc. d/b/a/ Cable Television Co. in 2 communities, and d/b/a Jonesville Cable in 3 other communities is a corporation. Conglomerate Cable Co. Inc. is owned 30% by Mega Corp., 40% by Summa Corp., and 20% by Smaller Corp. Conglomerate Cable Co. Inc. also owns 30% of Lower Corp. Operator Conglomerate Cable Co. Inc. will file a total of four Schedule 3 sheets. It must file one for itself, one for each entity which owns 25% or more of it, and one for each entity of which it owns 25% or more.

PREPARING SCHEDULE 3

Note: All required information must be filed on the schedule using the number of character spaces provided. Additional copies of Schedule 3 may be produced by photoduplication or obtained from the Commission. Incorporation of information by reference to data on file with the Commission or any other agency will not be allowed.

Block 1. Indicate the full legal name of the business entity reported on the schedule. Do not use any assumed name for doing business. If the Operator is a real person: use the family name first, a comma and blank space, the given name, a blank space and any middle initial. If the Operator is an artificial person (incorporated): use the full name of incorporation, including the abbreviation CORP or INC. If the Operator is a group of persons: use the name of the controlling person (person as used here can include a corporation) followed by the words ET AL (Latin for "and others").

Block 2. Indicate the Internal Revenue Service Employer Identification (E.I.) Number used by the business entity in Block 1. If the business entity is an individual person and pays no employees and has never obtained an E.I. Number, use the individual person's social security number.

Block 3. Indicate the type of business entity reported.

Block 4. Indicate the E.I. Numbers of business entities which own 25% or more of the business entity reporting on the Schedule 3.

Block 5. Indicate the E.I. Numbers of the business entities in which the business entity reporting on the Schedule 3 sheet has 25% or more interest. Some large corporations may require many spaces to indicate all the E.I. Nos. If necessary, append additional sheets until all the E.I. Nos. are displayed.

Block 6. List the indicated stock information for the business entity reporting on the Schedule 3. If no stock has been issued, leave blank.

Block 7. List the indicated information concerning: the person, if individually owned; partners, if partnership; officers, directors, and stockholders (owning 3% or more of the voting stock), if corporation; or association; leave blank if incorporated government entity. The felon indication applies only if the individual has been found guilty of a felon in any federal or state court within the past ten years. The alien indication applie if the individual is not a United States citizen.

INDICATE THE PERSON PREPARING SCHEDULE 3 IN THE SPACE PROVIDED

USE OF SCHEDULE 4

Schedule 4 of Form 325 is used to provide certain information concerning each controlling person or corporation listed in Block 7 on a Schedule 3. This information is divided into three categories. Close family relationships among the controlling persons of a particular corporation or partnership; fiduciary or trust relationships between a controlling person and someone else; telecommunications and newspaper ownership relationships which a controlling person or corporation maintains.

PREPARING THE SCHEDULE 4

Note: All required information must be filed on the schedule using the number of character spaces provided. Additional schedules may be produced by photoduplication or obtained from the Commission. Incorporation of information by reference to data on file with the Commission or any other agency will not be allowed.

Block 1. Indicate the full legal name of the person or corporation reported on the Schedule 3 sheet. If a person is listed, the last name, followed by the first name and middle initial should appear in this block. Use blank spaces between. If a corporation is listed, use the full legal name ending in "Inc."

Block 2. Indicate the social security account number if a person is listed in Block 1. Indicate the IRS Employer Ident Number if a corporation is listed in Block 1.

Block 3. If the person reported on this Schedule has a close family relationship with another person listed in Schedule 3, Block 7, describe the relationship by indicating the appropriate number and the other person's social security number.

Block 4. If the person reported on this Schedule holds the voting stock for a beneficial owner, provide the information indicated in this Block. The felon indication applies only if the individual has been found guilty of a felony in any federal or state court within the past ten years. The alien indication applies if the individual is not a United States citizen.

Block 5. If the person or corporation reported on this schedule is a stockholder owning 5% or more of the voting stock of any licensee of a broadcast station, operator of a cable television system, communications common carrier, cable television equipment manufacturer, or newspaper publisher, complete Block 5 for each such interest.

INDICATE THE PERSON PREPARING SCHEDULE 4 IN THE SPACE PROVIDED

FCC FORM 325
DECEMBER 1975

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

FORM APPROVED
OMB NO 52-R0197

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

SCHEDULE 1. COMMUNITY UNIT *(File one Schedule 1 for each community reported)*

A. REMOVE ONE OF THE LABELS FROM THE COVER SHEET AND PLACE HERE.

AFFIX LABEL HERE

B. IF LABELS HAVE NOT BEEN PROVIDED OR THE INFORMATION IS INCORRECT INDICATE THE PROPER INFORMATION BELOW.

1 FCC UNIT CODE

2 COMMUNITY NAME

3 COMMUNITY TYPE CODE: *(See instructions)* Enter Code ▶

4 COMMUNITY COUNTY

5 ST

6 LEGAL NAME OF OPERATOR (IF PERSON LIST LAST NAME FIRST)

USE TO CONTINUE BLOCK 6 IF NEEDED

7 ASSUMED NAME USED FOR DOING BUSINESS IN COMMUNITY (IF USED)

8 MAILING STREET ADDRESS OR P.O. BOX

9 CITY

10 ST

11 ZIP

C. Indicate Internal Revenue Service Employer Identification (E.I.) Number used by above operator for community unit reported. If operator is person with no E.I. number, use Social Security number. ▶ 12 E.I. NO (OR SOC. SEC.)

D. For the community unit reported, indicate the following statistics as of Dec. 31, 1974. *(Note: Convert strand length from miles to kilometers.)*

13 TOTAL SUBCRS.

14 STRD MLS x 1.6 = STRD. KMS

15 NO. HOMES PSD.

16 POPULATION

E. Service was furnished to the community beginning ▶ 17 MO. YR.

CERTIFICATION

This report must be certified by the individual owning the reporting system, if individually owned; by a partner, if a partnership; by an officer of the corporation, if a corporation; or by a representative holding power of attorney in case of physical disability of an individual owner or his absence from the United States.

I certify that I have examined this report, and that all statements of fact contained therein are true, complete, and correct to the best of my knowledge, information, and belief, and are made in good faith.

SIGNATURE	TITLE
PRINTED NAME OF PERSON SIGNING	DATE SIGNED

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE OR IMPRISONMENT. U.S. CODE, TITLE 18 SECTION 100

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

SCHEDULE 2. COMMON LOCAL SERVICE UNIT *(File one Schedule 2 for each common local service unit reported)*

1 LEGAL NAME OF OPERATOR (IF PERSON LIST LAST NAME FIRST)

(USE TO CONTINUE BLOCK 1 IF NEEDED)

2 E.I. No. (or Soc. Sec. No.)

▶ **Indicate the following information regarding this common service unit** *(Broadband Distribution System)*

3 List below the Code of each community unit served.

4 List below Broadcast Signals carried (*Except all FM Band*)

STATION CALL SIGN	TYPE 1-TV 2-FM 3-AM 4-OTHER	TV ONLY		If Shared Enter X	1-Off Air 2-Pvt MW 3-ComCar 4-Dir Con
		Channel as Broadcast	Channel on Cable		
–					
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–					
–					
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STATION CALL SIGN	TYPE 1-TV 2-FM 3-AM 4-OTHER	TV ONLY		If Shared Enter X	1-Off Air 2-Pvt MW 3-ComC 4-Dir Co
		Channel as Broadcast	Channel on Cable		
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5 IF ALL FM BAND CARRIED, ENTER X ▶

NON-BROADCAST SIGNALS CARRIED FOR THE WEEK OF SEPTEMBER_____ THRU SEPTEMBER_____ 1975.

6. Complete the following information for the above week.

TYPES OF AUTOMATED PROGRAMS	HOURS PER WEEK	Channel on Cable	IF SHRD ENTR X
TIME & WEATHER			
NEWS DISPLAY			
SPORTS DISPLAY			
STOCK MARKET DISPLAY			
OTHER (SPECIFY)			

TYPES OF NON-AUTOMATED PROGRAMS	HOURS PER WEEK	Channel on Cable	IF SHRD ENTR X	1-local studio 2-Video tape 3-Film chain 4-external
PUBLIC AFFAIRS				
NEWS				
SPORTS				
RELIGIOUS				
INSTRUCTIONAL				
ENTERTAINMENT				
OTHER (SPECIFY)				

	FOR THE ABOVE WEEK IN SEPT. 1975, INDICATE:	AUTO-MATED	NON AUTO MATED
8	NUMBER OF PUBLIC SERVICE ANNOUNCEMENTS		
9	HOURS OF ADVERTISING IF ORIGINATED		

10 IF CHANNEL LESSEES CAN ADVERTISE, ENTER X ▶

11	NUMBER OF CLIENTS	LOCAL	REGN'L	NAT'L.

12 FOR EACH TYPE OF DATA SERVICE FURNISHED, ENTER X

BURGLAR ALARM		PREFERENCE POLL	
FIRE ALARM		UTILITY METER	
FACSIMILE		OTHER (SPECIFY) _____	

13 FOR CHANNEL INFORMATION, ENTER NUMBER

Total Cap.	Total Used	Gov't Access	Educ. Access	Public Access	Leased

Specify below the person who has completed Schedule 3

SIGNATURE	TITLE
PRINTED NAME OF PERSON SIGNING	DATE SIGNED

ANNUAL REPORT OF CABLE TELEVISION SYSTEMS

SCHEDULE 3. OWNERSHIP STRUCTURE. (File one Schedule 3 for each business entity in the cable operator business structure subject to limitations as indicated.)

1 LEGAL NAME OF ENTITY (IF PERSON, LIST LAST NAME FIRST)

USE TO CONTINUE BLOCK 1 IF NEEDED

2 E.I. NO (OR SOC. SEC. NO.)

IN ITEMS 3-7, indicate the following information for the business entity stated in Block 1

3 ENTER CODE TO INDICATE TYPE OF ENTITY — 1-Individual Person; 2-Partnership; 3-Corporation; 4-Association; 5-Government entity. ▶

4 List below the E.I. No. of any business entity which owns 25% or more of it.

5 List below the E.I. No. of any business entity of which it owns 25% or more of the stock.

6 If a corporation, indicate stock information below.

CLASS CODE: 1-Com. 2-Pref. 3-Other	Enter Code	If Voting Enter X	NO. AUTHORIZED	NO. ISSUED AND OUTSTANDING	NO. TREASURY	NO. UNISSUED

7 List each person (if individually owned); partners (if Partnership); officers and directors and stockholders - owning 3% or more of the voting stock (if corporation).

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED — Soc.Sec.No. (E.I. No. if Corp)

CITY OF RESIDENCE (HEADQUARTERS IF CORPORATION) — ST — % INT — If Felon Enter X → — If Alien Enter X → — If Corp., enter: 1-Pres.,2-VP,3-Sec. 4-Trs.,5-Dir.,6-other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED — Soc.Sec.No. (E.I. No. if Corp)

CITY OF RESIDENCE (HEADQUARTERS IF CORPORATION) — ST — % INT — If Felon Enter X → — If Alien Enter X → — If Corp., enter: 1-Pres.,2-VP,3-Sec. 4-Trs.,5-Dir.,6-other

Continue on back as needed.

NOTE: File a separate Schedule 4 for each person or business entity listed in Block 7.

7. LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)

CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X → | If Alien Enter X → | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)

CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X → | If Alien Enter X → | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)

CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X → | If Alien Enter X → | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)

CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X → | If Alien Enter X → | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)

CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X → | If Alien Enter X → | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)

CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X → | If Alien Enter X → | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

LEGAL NAME OF PERSON (LAST NAME FIRST) OR CORPORATION

CONTINUE NAME HERE IF NEEDED | Soc.Sec.No.(E.I.No.if Corp.)

CITY OF RESIDENCE (Headquarters if Corporation) | ST. | % INT | If Felon Enter X → | If Alien Enter X → | IF CORP. ENTER: 1-Pres, 2-VP, 3-Sec, 4-Trs, 5-Dir, 6-Other

Specify below the person who has completed Schedule 3.

SIGNATURE	TITLE
PRINTED NAME OF PERSON SIGNING	DATE SIGNED

NOTE: File a separate Schedule 4 for each person or business entity listed in Block 7.

SCHEDULE 4 - CONTROLLING PERSONS *(File one Schedule 4 for each person or business listed in Schedule 3, Block 7)*

1 NAME OF PERSON (LAST NAME FIRST) OR BUSINESS ENTITY

CONTINUE NAME IF NEEDED

2 Soc.Sec.No.(E.I.No.if business)

Indicate the following information regarding the above person or business entity, as applicable.

3 If a close family relationship exists between this person and another person listed in Schedule 3, Block 7 for the same business entity, describe the relationship below:

(Enter code and Soc. Sec. No) This person is the 1 - Parent/Child 2 - Spouse 3 - Brother/Sister of the person identified by the Soc. Sec. No.	Enter Code	SOC. SEC. NO.	Enter Code	SOC. SEC. NO.

4 If this person's voting stock in a corporation listed in Schedule 3, Block 1 is held for a beneficial owner, indicate below:

LEGAL NAME OF CORPORATION

CONTINUE NAME OF CORPORATION IF NEEDED | E.I. NO.

NAME OF BENEFICIAL OWNER

CONTINUE NAME OF OWNER IF NEEDED | SOC SEC NO.

CITY OF RESIDENCE | ST | IF FELON ENTER X ▶ | IF ALIEN ENTER X ▶

LEGAL NAME OF CORPORATION

CONT. NAME OF CORPORATION IF NEEDED | E.I. NO.

NAME OF BENEFICIAL OWNER

CONT. NAME OF BENEFICIAL OWNER IF NEEDED | SOC. SEC. NO.

CITY OF RESIDENCE | ST | IF FELON ENTER X ▶ | IF ALIEN ENTER X ▶

5 If this person or business entity has other telecommunications or newspaper interests as defined in the instructions, provide the following information for each interest.
(Nature of interest Code: 1-Officer, 2-Director, 3-Partner, 4-Stockholder, 5-Individual Owner.
Type of BUSINESS Code: 1-Broadcasting, 2-Cable TV Systems, 3- Cable TV Equipment, 4-Common Carrier, 5-Newspaper)

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED | E.I. NO.

CITY OF BUSINESS HEADQUARTERS (if newspaper, city served) | ST | NATURE OF INTEREST: ENTER CODE | % Vot.Int. | If Fiduciary Interest Enter X ▶ | TYPE: Enter Code ▶

▶ CONTINUE ON BACK AS NEEDED:

5 LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED	E I NO.					
CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED)	ST.	NATURE OF INTEREST: ENTER CODE	%Vot.Int.	If Fiduciary Interest Enter X →	TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED	E I NO.					
CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED)	ST.	NATURE OF INTEREST: ENTER CODE	%Vot.Int.	If Fiduciary Interest Enter X →	TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED	E I NO.					
CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED)	ST.	NATURE OF INTEREST: ENTER CODE	%Vot.Int.	If Fiduciary Interest Enter X →	TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED	E I NO.					
CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED)	ST.	NATURE OF INTEREST: ENTER CODE	%Vot.Int.	If Fiduciary Interest Enter X →	TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED	E I NO.					
CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED)	ST.	NATURE OF INTEREST: ENTER CODE	%Vot.Int.	If Fiduciary Interest Enter X →	TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED	E I NO.					
CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED)	ST.	NATURE OF INTEREST: ENTER CODE	%Vot.Int.	If Fiduciary Interest Enter X →	TYPE: Enter Code →

LEGAL NAME OF BUSINESS ENTITY REPRESENTING COMMUNICATIONS OR NEWSPAPER INTERESTS

CONTINUE NAME IF NEEDED	E I NO.					
CITY OF BUSINESS HQRS. (IF NEWSPAPER, CITY SERVED)	ST.	NATURE OF INTEREST: ENTER CODE	%Vot.Int.	If Fiduciary Interest Enter X →	TYPE: Enter Code →

SPECIFY BELOW THE PERSON WHO HAS COMPLETED SCHEDULE 4.

SIGNATURE	TITLE
PRINTED NAME OF PERSON SIGNING	DATE SIGNED

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

INSTRUCTIONS AND ACCOUNT DEFINITIONS FOR COMPLETION OF FCC FORM 326
(July 1975 Edition)

CABLE TELEVISION ANNUAL FINANCIAL REPORT

General Instructions:

1. File one copy of this form with the Federal Communications Commission, Washington, D.C. 20554. Do not return these instructions to the Commission.

2. A Form 326 shall be filed for a cable television system on an annual basis within 90 days of the close of its latest fiscal year. All information contained in the form shall be stated as of the last day of the fiscal year.

3. Definition of a cable television system:
(Section 76.5(a) of the Commission's Rules)

   Cable Television System (or CATV System). Any facility that, in whole or part, receives directly, or indirectly over the air, and amplifies or otherwise modifies the signals transmitting programs broadcast by one or more television or radio stations and distributes such signals by wire or cable to subscribing members of the public who pay for such service, but such term shall not include (1) any such facility that serves fewer than 50 subscribers, or (2) any such facility that serves only the residents of one or more apartment dwellings under common ownership, control, or management, and commercial establishments located on the premises of such an apartment house.

   NOTE: In general, each separate and distinct community or municipal entity (including unincorporated communities within unincorporated areas and single, discrete, unincorporated areas) served by cable television facilities constitutes a separate cable television system, even if there is a single headend and identical ownership of facilities extending into several communities. See, e.g., Telerama, Inc., 3 FCC 2d 585 (1966); Mission Cable TV, Inc., 4 FCC 2d 236 (1966).

4. Use dollar figures only. Omit cents.

5. Use generally accepted accounting principles applied on a consistent basis.

6. A consolidated form is permitted for those systems within a 40 mile radius of an owner-designated reference point, keeping a consolidated set of bookkeeping records, and technologically connected either by private microwave or cable. A cable operator may be allowed to consolidate a filing, with prior Commission approval, for systems that are not technologically connected if these systems are within a 40 mile radius of a designated reference point and operationally integrated.

DO NOT RETURN THESE INSTRUCTIONS

"Operationally integrated" is presumed where a group of systems share a single administrative office and maintenance crew, and they are under the same local management.

7. Instructions for Schedule 1:

For filings which are for only a single community, fill out the top line of the schedule. For consolidated filings, each community involved in the filing must be listed with pertinent fee data. Pay cable charges are to be submitted as an exhibit. (A rate card is preferred).

8. Definitions and instructions for Schedule 2:

Operating Revenue includes all revenues due to rendering services connected with the cable television activity.

Line 1. Installation Income - Revenue obtained from charges for subscriber connections, relocations and additional outlets.

Line 2. Regular Subscriber Income - Monthly service charge revenue earned.

Line 3. Other Subscriber Revenues - Subscriber Income other than Regular Subscriber Income, Installation Income or Per Program or Per Channel Charges.

Line 4. Per Program or Per Channel Income (Pay Cable)-Revenue arising from special fees imposed on subscribers for the provision of programs not obtainable by means of regular subscription charges (Pay Cable) This includes Pay Cable related lease agreements, converter rentals, and other related income.

Line 5. Advertising Income - Revenue arising from advertising on cable origination channels.

Line 6. Special Services Income - Revenue attributable to leasing (other than Pay Cable), or sale of time or facilities.

Line 7. Other Non-subscriber Revenues - All Non-Subscriber Revenues other than Advertising Income or Special Service Income.

Line 8. Total Operating Revenues - The total of Subscriber and Non-Subscriber Revenues. (Total Lines 1 thru 7).

Operating Expense includes all costs of rendering services connected with the cable television activity. These do not include expenses cleared to construction.

Service Costs - The expenses attributable to receiving and distributing signals to the community serviced by the system.

Line 9. Salaries, Wages and Employee Benefits - The salaries and fringe benefits of any personnel engaged in technical activities and maintenance. (Does not include salaries, wages and employee benefits that are capitalized in construction accounts).

Line 10. Pole and Duct Rentals - The rental cost of pole attachments and duct space. Site rentals should be included in "All Other Service Expenses."

Line 11. Private Microwave Service - The cost of receiving microwave transmission from a private microwave relay service (CARS).

Line 12. Common Carrier Microwave Service - The cost of receiving microwave transmission from a public microwave relay service.

Line 13. Total Tariff (Leaseback) Charges - Applies only to systems receiving telephone company channel service.

Line 14. All Other Service Expenses - All service costs not included in Lines 9 thru 13, such as Maintenance Costs, Light, Heat and Power, Vehicle Expense, Rent, etc.

Origination Expense - The cost of program origination, including automated services such as news and stock tickers.

Line 15. Salaries, Wages and Employee Benefits - The salaries and fringe benefits of any personnel engaged in program origination.

Line 16. Other Origination Expense - All other origination expenses not included in Salaries, Wages and Employee Benefits.

Selling, General and Administrative Expenses - The costs incurred by selling, general and administrative activities, such as salemen's salaries, officers' salaries, office salaries and supplies, etc.

Line 17. Salaries, Wages and Employee Benefits - Salaries and fringe benefits of general manager and all office personnel involved in clerical, secretarial and accounting activities.

Line 18. Franchise Fees - The franchise fees payable under the Company's franchise agreement which are applicable to current operations.

Line 19. All other Selling, General and Administrative Expenses - All Selling, General and Administrative Expenses not included in Lines 17 and 18 such as Light, Heat and Power, Local Property and Income Taxes, etc.

Line 20. Total Operating Expenses - The total of Lines 9 thru 19.

Line 21. Total Operating Income - Total Operating Revenues (Line 8) less Total Operating Expenses (Line 20).

Line 22. Depreciation - The amount provided annually for allocating the cost of fixed assets, including amortization of leasehold improvements. Depreciation Expense should allocate the cost of fixed assets over their estimated economic life.

Line 23. Amortization - The amounts provided annually for allocating the cost of those intangible assets that are normally capitalized using generally accepted accounting principles. Amortization expense should allocate the cost of intangible assets over the periods benefited.

Line 24. Other Income - The revenue derived from sources not directly associated with cable television services, such as Interest, Dividends, etc.

Line 25. Interest Expense - Interest accrued on the Company's obligations, including notes, bonds and mortgages payable. This does not include interest charged to construction.

Line 26. Miscellaneous - The amount of costs not directly associated with cable television services.

Line 27. Total Other Income (or Loss) - Line 24 less Lines 25 and 26.

Line 28. Profit or Loss Before Taxes - Line 21 plus Line 27 less Lines 22 and 23.

Line 29. Total Federal and State Taxes - Statutory Federal and State Taxes payable by the cable television system.

Line 30. Extraordinary Items - The economic results of significant transactions which need to be separately displayed and which are of a non-recurring nature.

Line 31. Total Profit or Loss - Line 28 less Lines 29 and 30.

7. Definitions and Instructions for Schedule 3:

Current Assets - Those assets which are expected to be converted into cash within the current operating period.

Line 1. Cash - The total amount of cash on deposit in banks or on hand.

Line 2. Accounts Receivable - The amounts due from subscribers and all other receivables including amounts due from employees.

Line 3. Other Current Assets - Items that are not included in Lines 1 and 2.

Line 4. Total Current Assets - The total of Lines 1 thru 3.

Fixed Assets - Capital Assets used for operation which have a life expectancy of more than one year. Fixed asset items must be reported in terms of original costs. Original cost is defined as the cost of the fixed asset item when it is first put in use for cable television service. If in the process of ownership transaction, consummated before August 1, 1975, the original cost data has been lost, the respondent may use allocated costs in lieu of original costs providing it is indicated in a footnote.

Line 5. Land and Buildings - The cost of real property, and its acquisition costs, office and buildings, excluding headend shack.

Line 6. Headend - The cost of tower, antennae, headend shack, and electronic equipment including time and weather channel equipment.

Line 7. Trunk and Distribution System - The costs of owned poles (including related guys, anchors, messenger cable and pole hardware), trunk and distribution cable (including lashing wire, splices, connectors, etc.) and amplifiers and power suppliers (including housing and associated hardware and electronic equipment).

Line 8. Subscriber Devices - The cost required to initially connect customers to the distribution line. Includes the costs associated with taps, blocks, transformers, cable, converters and other subscriber connection devices.

Line 9. Program Origination Equipment - The cost of time and weather station, cameras, studio and other equipment utilized in origination.

Line 10. Construction Work in Progress --The costs accumulated in connection with the design and construction work not yet completed.

Line 11. Other Fixed Assets - The cost of those fixed assets which are not included in Lines 5 thru 9, such as test equipment and tools, vehicles, furniture and fixtures, leasehold improvements, etc.

Line 12. Plant Adjustments - The difference between the purchase price and the original cost, less depreciation of either all or a substantial portion of a cable television system already in operation. If in the process of an ownership transaction consummated before August 1, 1975, the original cost data has been lost, the respondent may use allocated costs in lieu of original costs providing it is indicated in a footnote.

Line 13. Less: Accumulated Depreciation - the periodic provision for depreciation.

Line 14. Less: Accumulated Amortization - the periodic provision for amortization.

Line 15. Total Fixed Assets - The Total of Lines 5 thru 14.

Other Assets:

Line 16. Total Other Assets - Includes Intangible Assets, Deferred Charges, Long Term Investments, Organization Expense and any other assets not previously included.

Line 17. Total Assets - The total of Lines 4, 15 and 16.

Current Liabilities - Those obligations whose liquidation requires the use of existing current assets.

Line 18. Loans Payable - The portion of loans payable during the next twelve months.

Line 19. Accounts Payable - Amounts currently due to others for purchases of materials and other goods or services.

Line 20. Other Current Liabilities - Includes accrued expenses, accrued taxes, and any other items not included in Lines 18 and 19.

Line 21. Total Current Liabilities - The total of Lines 18 thru 20.

Deferred Credits:

Line 22. Total Deferred Credits - Revenues that are deferred into a future operating period. This arises upon the receipt of an asset preceding the period in which the asset is considered to be earned, such as Investment Credit, Deferred Income Taxes, etc.

Long Term Debt:

Line 23. Total Long Term Debt - The unpaid balance of long term notes, bonds and other debts payable after one year from the date issued.

Owner's Equity - The interests of the ownership group in total resources.

Line 24. Total Stock Issued - The par or stated value of common stock issued, preferred stock issued and the cost of capital stock repurchased and held in the treasury.

Line 25. Proprietor's Equity - Equity of a sole proprietor, partners or members of a joint venture.

Line 26. Retained Earnings - The amount of earnings which have not been capitalized, paid to stockholders as dividends or otherwise utilized.

Line 27. Other Owner's Equity - Items that may not be included in Lines 24 thru 26, such as additional paid-in capital, etc.

Line 28. Total Owner's Equity - The total of Lines 24 thru 27.

Line 29. Total Liability and Owner's Equity - The total of Lines 21, 22, 23 and 28.

Line 30. Indicate Method of Depreciation - Straight Line, Declining Balance, Sum of the Years' Digits or Other.

8. Instructions for Schedule 4:

This schedule applies only to cable television systems receiving telephone company channel service under a tariff (leaseback arrangements). Generally the non-recurring charges will be one-time installation fees.

FCC Form 326
July 1975

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

Form Approved
GAO No. B-180227(R0205)

(LEAVE BLANK)

CABLE TELEVISION ANNUAL FINANCIAL REPORT

For Period Beginning _____, 19 ___ and Ending _____ 19 ___

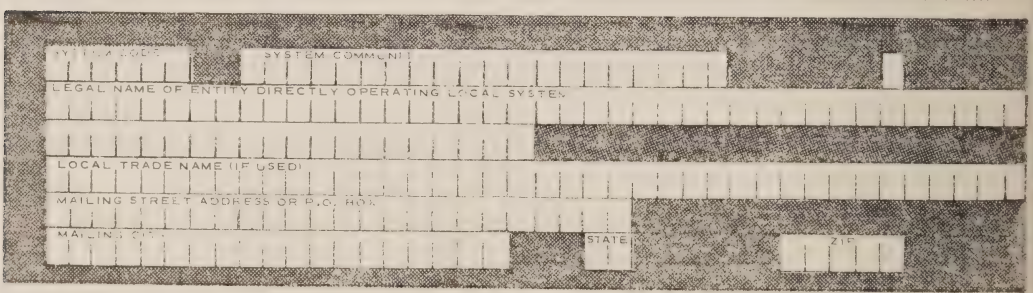
A separate FCC Form 326 must be filed for each cable television system except where group filings comply with the consolidation provision set forth in the following paragraph. Each separate and distinct community or municipal entity (including unincorporated areas and single, discrete unincorporated areas) served by cable television facilities constitutes a separate cable television system, even if there is a single headend and identical ownership of facilities extending into several communities. An FCC Form 326 shall be filed for a cable television system w in 90 days of the close of its latest fiscal year on an annual basis. All information contained in the form shall b stated as of the last day of the fiscal year.

Where cable television systems, as defined above, are under common ownership and managed as a single operating entity.a consolidated form may be filed in accordance with the following criteria. A single operating entity involv only those systems within a 40-mile radius of an owner-designated reference point which keep a consolidated set of bookkeeping records, and are technologically connected either by private microwave or by cable. Any intention to provide consolidated data for systems which do not meet the above criteria must receive prior Commission approval. The Commission reserves the right to challenge any consolidations. .

Detailed instructions and account definitions are attached to this form.

- REMOVE ONE OF THE LABELS FROM THE COVER SHEET OF THIS FORM AND PLACE HERE

- IF LABELS HAVE NOT BEEN PROVIDED OR THE INFORMATION IS INCORRECT, INDICATE THE PROPER INFORMATION BELOW .....



- INDICATE THE INTERNAL REVENUE SERVICE EMPLOYER IDENT (E.I.) NO. FOR THE LOCAL BUSINESS ENTITY DIRECTLY OPERATING THE LOCAL SYSTEM. IF OPERATOR IS PERSON WITH NO EMPLOYEES AND NO E.I. NO., USE SOCIAL SECURITY NO. . . .

FCC Form 326 SCHEDULE 1. General Information

Complete for each community involved in this filing. Submit as an Exhibit (a rate card is preferred) per program or per channel charges, i.e. pay cable charges.

Line No.	SYSTEM COMMUNITY	SYSTEM CODE	INSTALLATION FEE $	SUBSCRIBER FEE $
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
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21				
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				

FCC Form 326 SCHEDULE 2. CABLE TELEVISION REVENUES AND EXPENSES		
Line No.		AMOUNT (OMIT CENTS)
	OPERATING REVENUES SUBSCRIBER REVENUES:	$
1	Installation Income	
2	Regular Subscriber Revenues	
3	Other Subscriber Revenues	
	NON-SUBSCRIBER REVENUES: Per Program or Per Channel Income	
4	(Pay Television)	
5	Advertising Income	
6	Special Service Income	
7	Other Non-Subscriber Revenues	
8	TOTAL OPERATING REVENUES	
	OPERATING EXPENSES SERVICE COSTS:	
9	Salaries, Wages and Employee Benefits	
10	Pole and Duct Rentals	
11	Private Microwave Service (CARS)	
12	Common Carrier Microwave Service	
13	Total Tariff (Leaseback) Charges (applies only to Systems receiving telephone company channel service)	
14	All Other Service Expenses	
	ORIGINATION EXPENSES:	
15	Salaries, Wages and Employee Benefits	
16	ALL OTHER ORIGINATION EXPENSES	
	SELLING, GENERAL AND ADMINISTRATIVE EXPENSES:	
17	Salaries, Wages and Employee Benefits	
18	Franchise Fees	
19	ALL OTHER SELLING, GENERAL AND ADMINISTRATIVE EXPENSES	
20	TOTAL OPERATING EXPENSE	
21	TOTAL OPERATING INCOME	
	DEPRECIATION AND AMORTIZATION	
22	Depreciation	
23	Amortization	
	OTHER INCOME AND EXPENSES OTHER INCOME:	
24	Total Other Income	
	OTHER EXPENSES:	
25	Interest	
26	Miscellaneous	
27	TOTAL OTHER INCOME (OR LOSS)	
28	PROFIT (OR LOSS) BEFORE TAXES	
29	TOTAL FEDERAL AND STATE INCOME TAXES	
30	EXTRAORDINARY ITEMS	
31	TOTAL PROFIT (OR LOSS)	

FCC Form 326	SCHEDULE 3. BALANCE SHEET INFORMATION	
Line No		AMOUNT (OMIT CENTS)
	ASSETS	$
	CURRENT ASSETS:	
1	Cash	
2	Accounts Receivable	
3	Other Current Assets	
4	Total Current Assets	
	FIXED ASSETS:	
5	Land and Buildings	
6	Headend	
7	Trunk and Distribution System	
8	Subscriber Devices	
9	Program Origination Equipment	
10	Construction Work in Progress	
11	Other Fixed Assets	
12	Plant Adjustment	
13	Less: Accumulated Depreciation	
14	Accumulated Amortization	
15	Total Fixed Assets	
	OTHER ASSETS:	
16	Total Other Assets	
17	TOTAL ASSETS	
	LIABILITIES	
	CURRENT LIABILITIES:	
18	Loans Payable	
19	Accounts Payable	
20	Other Current Liabilities	
21	Total Current Liabilities	
	DEFERRED CREDITS:	
22	Total Deferred Credits	
	LONG TERM DEBT:	
23	Total Long Term Debt	
	OWNER'S EQUITY:	
24	TOTAL STOCK ISSUED	
25	PROPRIETOR'S EQUITY	
26	RETAINED EARNINGS	
27	OTHER OWNER'S EQUITY	
28	TOTAL OWNER'S EQUITY	
29	TOTAL LIABILITY AND OWNER'S EQUITY	
30	INDICATE METHOD OF DEPRECIATION USED	

FCC Form 326 SCHEDULE 4. NON-RECURRING TELEPHONE COMPANY CHARGES

(Omit Cents)

(To be completed only by Cable Television Systems operating under a Telephone Company Tariff (leaseback)

Line No.	Class of Charge	(1) ORIGINAL	(2) AMORTIZATION	(3) Unamortized Value (Col. 1 minus Col. 2)	(4) Amortization Term (in Years)	(5) Amortization Method Used. 1/
1	Subscriber Drop Installation	$	$	$		
2	Cable					
3	Other Non-Recurring Charges					
4	TOTAL (lines 1-3)					

1/ Use the following code to indicate amortization method used (Column 5)

Code No.	Method
1	Straight Line
2	Declining Balance
3	Sum-of the-year's digits
4	Other

SCHEDULE 5. EMPLOYMENT

Indicate the number of employees for the workweek in which the last day of the Fiscal Year fell.	Number of Employees
	FULL TIME
	PART TIME

CERTIFICATION

This report must be certified by the individual owning the reporting cable television system, if individually owned; by a partner, if a partnership; by an officer of the corporation, if a corporation; or by a representative holding power of attorney in case of physical disability of an individual owner or his absence from the United States.

I certify that I have examined this report, and that all statements of fact contained therein are true, complete, and correct to the best of my knowledge, information, and belief, and are made in good faith.

Signature *Title*

Printed name of person signing *Date Signed*

Federal Communications Commission
Washington, D.C. 20554

Instructions for Completion of FCC Form 327
(September 1975 Edition)

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

A. This form shall be used when applying for a Cable Television Relay Service (CARS) station authorization.

B. Applicants for:

CONSTRUCTION PERMIT (CP) for a new station or **LICENSE RENEWAL.**
File a complete set of schedules and requested exhibits.

CONSTRUCTION PERMIT (CP) for a licensed station or **MODIFICATION OF CP.** File with Schedule A only those additional schedules which describe the proposed construction or modification.

LICENSE or MODIFICATION OF LICENSE. File only Schedule A if no changes have been made from the most recent filing. File any other schedules necessary to show any changes that did not require prior Commission authorization. If the license request does not apply to all authorized construction, attach an additional exhibit to Schedule A explaining which portions of the construction are covered and the reasons why the other portions are not covered. Requests for modification of license should be made for authorized construction not previously licensed.

REINSTATEMENT. File only Schedule A. If changes made since the most recent filing did not require prior Commission authorization, file those additional schedules which describe the changes.

AMENDMENT. File Schedule A and any additional schedules which describe the amendment of the pending application.

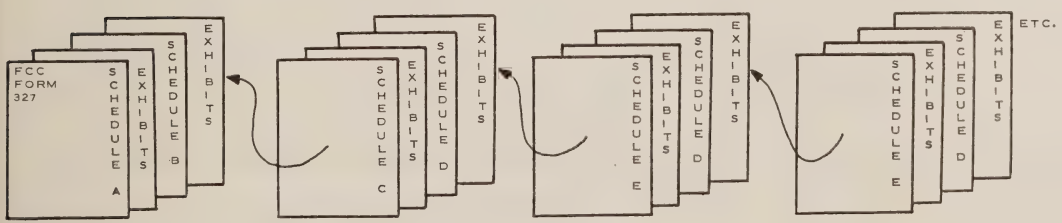
TRANSFER OF CONTROL or ASSIGNMENT OF AUTHORIZATION. File Schedule A, Schedule B (Sections I & II), and the requested exhibits. The transferee or assignee must complete Schedule A and Section I of Schedule B. The licensee or permittee must complete Section II of Schedule B. If the transferee or assignee has not previously filed an FCC Form 325, Annual Report of Cable Television Systems, or if the transferee's or assignee's Form 325 ownership information has changed from the most recent filing, attach new Form 325 ownership information for the transferee or assignee.

C. This form should be filed with the Federal Communications Commission, Washington, D.C. 20554. Submit three copies of each Schedule A, B, C, and E, and the exhibits associated therewith. Submit five copies of each Schedule D (Site Sketch and Data) and the exhibits associated therewith. The application should be accompanied by the appropriate fee pursuant to the Commission's Rules.

D. Number the pages serially in the space provided in the upper right corner in the following order:

Schedule A
  Exhibits requested in Schedule A
Schedule B (Control and Ownership Information)
  Exhibits requested in Schedule B
Schedule C (Transmitter and Signal Data)
  Exhibits requested in Schedule C
Additional Schedules C and requested exhibits
Schedule D (Site Sketch and Data) for transmit site
  Exhibits requested in Schedule D
Schedule E (Path Data)
  Exhibits requested in Schedule E
Schedule D (Site Sketch and Data) associated with Schedule E for receive or passive repeater site
  Exhibits requested in Schedule D
Additional Schedules E, requested exhibits, associated Schedules D and requested exhibits for other receive or passive repeater sites

PICTORIAL ILLUSTRATION:



DO NOT RETURN THESE INSTRUCTIONS

E. Place all requested exhibits directly after the schedule which requests the exhibits. If additional supplemental information (e.g., a waiver request or a proposal which the form does not specifically accommodate) is being filed, attach such information as an exhibit following the appropriate schedule.

F. If the applicant is

AN INDIVIDUAL:	This form shall be signed by the applicant personally.
A PARTNERSHIP:	This form shall be signed by a member of the partnership.
A CORPORATION or ASSOCIATION:	This form shall be signed by an officer of the applicant.
A GOVERNMENTAL ENTITY:	This form shall be signed by an official of the applicant.

The form shall be signed in the space provided on Schedule A. Signing of this form is a representation that the person who signs the form is familiar with the contents of this form and all associated exhibits, and supports and approves the representations made therein on behalf of the applicant. In case of the applicant's physical disability or of his absence from the United States, the application should be signed by the applicant's attorney. The attorney shall, in the event he signs for the applicant, separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

G. All items must be answered fully and all necessary information furnished. If any items of the application are not applicable, write N.A. Defective or incomplete applications may be returned without consideration. Applicants, however, are hereby notified that where this form requests a Social Security Account Number in lieu of an Internal Revenue Service Employer Identification Number, they may withhold the Social Security Number without prejudice to the merits of the application. When supplied, the Social Security Account Number will be used solely as a unique identifier within the Commission's systems of records alone. Disclosure of said Social Security Account Number is solicited under Section 78.15(a) of the Commission's Rules as well as 47 U.S.C. §§4(i), 4(j), 303(r) and 308.

H. When an abbreviation of a state is required, use the United States Postal Service abbreviation.

I. Use only the indicated number of spaces when answering each question. Type or print, placing one letter or number in each space. If insufficient spaces are available, abbreviate or truncate the information to fit. For example, operator's legal name must fit in 60 spaces.

J. All heights and distances should be indicated in both English units (feet and miles) and metric units (meters and kilometers).

K. Specific instructions for each schedule may be found on the back of the schedule.

L. Pursuant to the Privacy Act of 1974, 5 U.S.C. §552a(e) (3), the Federal Communications Commission hereby informs those applicants who are real persons supplying information on FCC Form 327 that:

(1) the disclosure of said information is solicited under the Communications Act of 1934, as amended, 47 U.S.C. §§151-155, 301, 302a, 303, 307, 308, 309, 312, 316, 317, 318, 319, & 403;

(2) the disclosure of said information is mandatory;

(3) the principal purpose of said information is to provide basic technological, financial, public service, and ownership data concerning the qualifications of the applicant;

(4) said information is routinely used in the processing of applications filed with the Commission; it is also used to assemble general industry statistics for abstract analysis or rule making proceedings;

(5) failure to provide said information may result in the authorization not being granted or specific relief by the Commission; it may also result in appropriate enforcement action against said operator by the Commission.

FCC Form 327
September 1975

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

Page 1 of _____
Approved by GAO
B-180227 (R0279)

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE A

1.(a) Application for: *(Check only one box)*

☐ Construction Permit (CP) ☐ Modification of CP ☐ Assignment of Authorization
☐ Modification of License ☐ License Renewal ☐ Transfer of Control
☐ License ☐ Reinstatement ☐ Amendment of Application

(b) Does this application refer to an existing station? ☐ YES ☐ NO If "YES," give call sign.

(c) If this application is for a modification of CP or for a CP for a licensed station, check the box(es) for the appropriate description(s). Attach as Exhibit A-1 a complete explanation of the modification or proposed construction.

☐ Add Channel(s) ☐ Change Transmit Site ☐ Add Receive Site(s) ☐ Change Antenna System
☐ Delete Channel(s) ☐ Change Control System ☐ Delete Receive Site(s) ☐ Change Height of Antenna Structure
☐ Change Transmitter ☐ Change Operating Power ☐ Change Receive Site(s) ☐ Change Horizontal Location of Antenna
☐ Extension of Time ☐ Other (Specify)

2.(a) Indicate the name, mailing address, and telephone number of the applicant.

LEGAL NAME OF APPLICANT *(If person, list last name first.)*
CONTINUE NAME HERE IF NEEDED
ASSUMED NAME USED FOR DOING BUSINESS *(If any)*
MAILING STREET ADDRESS OR P.O. BOX — AREA CODE — TELEPHONE NO.
CITY — STATE — ZIP CODE

(b) Indicate Internal Revenue Service Employer Identification (E.I.) Number used by the applicant. If the applicant has no E.I. Number, use Social Security Number.

E.I. NO. (OR SOC. SEC. NO.)

(c) Indicate the name, mailing address, and telephone number of person to contact, if other than applicant.

NAME *(Last name first)*
CONTINUE NAME HERE IF NEEDED
FIRM OR COMPANY NAME
MAILING STREET ADDRESS OR P.O. BOX — AREA CODE — TELEPHONE NO.
CITY — STATE — ZIP CODE

Attach as Exhibit A-2 the name, mailing address, and telephone number of each additional person who should be contacted, if any.

(d) Indicate the address where the station's records will be maintained.

STREET ADDRESS
CITY — STATE — ZIP CODE

	YES	NO
3. (a) Will the applicant provide program material to cable television systems other than those which the applicant owns or operates?		
If "YES", attach as Exhibit A-3 a copy of a written contract specifying that service will be provided on a non-profit, cost-sharing basis; or a copy of a written statement specifying that service will be provided without charge.		
(b) Will the applicant control the station equipment?		
(c) Will the applicant have unlimited access to the equipment?		
(d) Will effective measures be taken to prevent use of the equipment by unauthorized persons?		
(e) Has the applicant or any controlling party to this application had any FCC station license, permit, or authorization revoked?		
If "YES", attach as Exhibit A-4 a statement identifying the license, permit, or authorization revoked and the circumstances relevant to the revocation.		
4. Attach as Exhibit A-5 a statement showing that the applicant is eligible pursuant to Part 78 of the Rules to be a licensee.		
5. Attach as Exhibit A-6 a map or drawing of appropriate detail showing the complete proposed relay system including points of interconnection, if any, with other cable television relay stations, common carrier stations, and/or other stations. The map or drawing should show the following: (a) Direction of true north; (b) Location of transmitting site(s), the location of any intermediate relay station(s), passive repeater(s), and terminal receiving point(s); (c) Call sign(s) and licensee(s) of any station(s) to which applicant's proposed station will be interconnected; (d) Every path number for the station for which this application is filed.		
6. Is the applicant, or any of its partners, members, or owners: (a) a foreign government or the representative thereof; or (b) an alien or the representative of any alien; or (c) a corporation organized under the laws of any foreign government; or (d) a corporation of which any officer or director is an alien or of which more than one-fifth of the capital stock is owned of record or voted by aliens, or their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country; or (e) a corporation directly or indirectly controlled by any other corporation of which any officer or more than one-fourth of the directors are aliens, or of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country?		
If "YES", attach as Exhibit A-7 a detailed statement which fully describes all alien interests, officers, and directors of the applicant and any controlling entities, including identity, address, nationality, biographical data, and extent of capital stock ownership.		

CERTIFICATION

All the statements made in the application and attached exhibits are considered material representations, and all the exhibits are a material part hereof and are incorporated herein as if set out in full in the application.
The applicant certifies that he has a current copy of the Commission's Rules governing the Cable Television Relay Service (CARS).
The applicant waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.

I CERTIFY that the statements in this application are true, complete, and correct to the best of my knowledge and belief and are made in good faith.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

(Check appropriate classification) *SIGNATURE* *DATE*

☐ INDIVIDUAL APPLICANT ☐ MEMBER OF APPLICANT PARTNERSHIP ☐ OFFICER OF APPLICANT CORPORATION ☐ OFFICER OF APPLICANT ASSOCIATION ☐ OFFICIAL OF APPLICANT GOVERNMENT ENTITY

FCC Form 327 APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE B. Control and Ownership Information *(The information submitted in this schedule should enable the Commission to identify all entities which either directly or indirectly control the applicant.)*

SECTION I. Control and Ownership

1. The following information must be provided for the applicant; for each member or partner, if the applicant is an unincorporated association or partnership; and for each cable television owner or operator, if the applicant is a cooperative enterprise wholly owned by cable television owners or operators. Indicate the legal name; the type of entity (1=Individual, 2=Partnership, 3=Corporation, 4=Unincorporated Association, or 5=Governmental Entity); and the Internal Revenue Service Employer Identification (E.I.) Number used by the entity (if the entity has no E.I. Number, use Social Security Number). If the entity is a nongovernmental corporation, indicate the state under whose laws the corporation is organized.

LEGAL NAME *(If person, list last name first)*
CONTINUE NAME HERE IF NEEDED | ENTITY CODE ► | E.I. NO. *(or Soc. Sec. No.)* | STATE OF INCORPORATION ►

Indicate applicant's members; partners; or owners (if a cooperative enterprise).

LEGAL NAME *(If person, list last name first)*
CONTINUE NAME HERE IF NEEDED | ENTITY CODE ► | E.I. NO. *(or Soc. Sec. No.)* | STATE OF INCORPORATION ►

LEGAL NAME *(If person, list last name first)*
CONTINUE NAME HERE IF NEEDED | ENTITY CODE ► | E.I. NO. *(or Soc. Sec. No.)* | STATE OF INCORPORATION ►

LEGAL NAME *(If person, list last name first)*
CONTINUE NAME HERE IF NEEDED | ENTITY CODE ► | E.I. NO. *(or Soc. Sec. No.)* | STATE OF INCORPORATION ►

(If additional space is needed, attach as Exhibit B-1 the requested information in the same format as above.)

	YES	NO
2. Is the applicant a cooperative enterprise wholly owned by cable television owners or operators?		
3. Has the above-named applicant filed FCC Form 325 indicating all entities which either directly or indirectly control the applicant?		
If "YES", no further items in this section need be answered.		
4. If the applicant is an unincorporated association or partnership, have the applicant's controlling members or partners filed FCC Form(s) 325 indicating all entities which either directly or indirectly control such controlling members or partners?		
If "YES", attach as Exhibit B-2 a statement explaining which members or partners control the applicant; no further items in this section need be answered.		

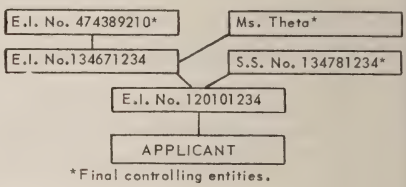
	YES	NO
5. If the answer to item 2 is "YES", have the controlling owners or operators of the cooperative enterprise filed FCC Form(s) 325 indicating all entities which either directly or indirectly control such controlling owners or operators?		
If "YES", attach as Exhibit B-3 a statement explaining which owners or operators control the applicant; no further items in this section need be answered.		

6. If the applicant does not answer "YES" to item 3, 4, or 5:

Attach as Exhibit B-4 the information requested of the applicant in item one for each entity which either directly or indirectly controls the applicant. In addition, attach as Exhibit B-5 a detailed diagram of the "family tree" showing the direct or indirect control of the applicant, to and including the final controlling entity or entities. The final controlling entity or entities should be specifically identified.

EXAMPLE

If the applicant is controlled by Partnership Alpha (E.I. No. 120101234) which in turn is controlled by Corporation Beta (E.I. No. 134671234) and by Mr. Dee (who has no E.I. No., but Social Security No. 134781234); and finally Mr. Cay (E.I. No. 474389210) and Ms. Theta (who has no E.I. No. and has elected not to provide her Social Security No.) control Corporation Beta, the diagram would be depicted as shown on the right:



NOTE: Use the word "applicant," not the applicant's name. For controlling entities, use the E.I. No. If they have no E.I. No., use Social Security No. Use controlling entities' name only if no E.I. No. or Social Security No. is given. Also, indicate the final controlling entities.

SECTION II. Assignment of Authorization or Transfer of Control

Indicate the name, mailing address, and telephone number of the licensee or permittee.

LEGAL NAME OF APPLICANT *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

ASSUMED NAME USED FOR DOING BUSINESS *(If any)*

MAILING STREET ADDRESS OR P.O. BOX — AREA CODE TELEPHONE NO.

CITY — STATE — ZIP CODE

Commission authorization is hereby requested for: (Check only one box)

☐ Assignment of CARS license or construction permit.

☐ Transfer of control of CARS licensee or permittee.

Attached as Exhibit B-6 is a statement describing the proposed assignment or transfer of control. The assignment or transfer of control shall not be completed or become effective until authorization has been issued by the Commission.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE & IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

_____ *Signature* _____ *Date*

(Check appropriate classification.)

☐ Individual Applicant ☐ Member of Applicant Partnership ☐ Officer of Applicant Corporation ☐ Officer of Applicant Association ☐ Official of Applicant Governmental Entity

FCC FORM 327

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE C. Transmitter and Signal Data *(Each Schedule C should indicate the requested information for each model of transmitter which will transmit channels of the same channel group. See reverse side for further instructions.)*

NO. 1/ | FCC TYPE ACCEPTANCE NO. | MAKE (MANUFACTURER)

EMISSION DESIGNATOR 2/ | CLASS OF STATION: F = FIXED, M = MOBILE ► | IF MOBILE, ATTACH AS EXHIBIT C-1 A STATEMENT INDICATING THE SERVICE AREA.

MODE: A = ATTENDED, U = UNATTENDED, R = REMOTE CONTROL ► | IF UNATTENDED OR REMOTE CONTROL, ATTACH AS EXHIBIT C-2, THE APPROPRIATE SHOWING AS TO THE MANNER OF COMPLIANCE WITH SECTION 78.51 OR 78.53 OF THE RULES.

Check (✓) the path numbers that this transmitter(s) feeds. ► 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 | INDICATE THE MICROWAVE CHANNEL GROUP ►

MICROWAVE CHANNELS	CALL SIGN OF TELEVISION BROADCAST STATION TO BE RELAYED OR THE 3/ APPROPRIATE CODE	SOURCE OF SIGNAL 4/ CODE	SOURCE OF SIGNAL 4/ MICROWAVE STATION CALL SIGN OR FILE NO. OF PENDING APPL.	AUTHORIZATION CODE 5/
01				
02				
03				
04				
05				
06				
07				
08				
09				
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				

MICROWAVE CHANNELS	CALL SIGN OF TELEVISION BROADCAST STATION TO BE RELAYED OR THE 3/ APPROPRIATE CODE	SOURCE OF SIGNAL 4/ CODE	SOURCE OF SIGNAL 4/ MICROWAVE STATION CALL SIGN OR FILE NO. OF PENDING APPL.	AUTHORIZATION CODE 5/
22				
23				
24				
25				
26				
27				
28				
29				
30				
31				
32				
33				
34				
35				
36				
37				
38				
39				
40				
41				
42				

1/ Indicate the number of transmitters with the same FCC type acceptance number which will transmit channels of the same channel group.

2/ Indicate the emission designator of the transmitter. If the transmitter will operate with more than one emission designator, for example if it will have different emissions for aural and visual components of the signal(s) relayed, indicate all designators, separating the designators by an oblique line (/). If all of the channels will not have the same emission, attach as Exhibit C-3 a list of the channels indicating their emission.

3/ Indicate the call sign of the television broadcast station to be relayed on each microwave channel during the majority of the transmitting hours. If more than one television broadcast station is to be carried on a microwave channel, attach as Exhibit C-4 a statement indicating the call sign(s) of the additional television broadcast station(s) relayed on each microwave channel. If a microwave channel(s) will relay the signals of standard or FM radio broadcast stations during the majority of the transmitting hours, enter the code letters AM or FM, whichever is appropriate, adjacent to the microwave channel so used; and attach as Exhibit C-5 a statement indicating whether the radio signals relayed will be all-band or indicating the call signs of particular standard or FM radio stations. If a microwave channel(s) will relay nonbroadcast programming, enter the appropriate code adjacent to the microwave channel so used. The nonbroadcast codes are as follows (use as many codes as are applicable):

Public Access - PA
Governmental Access - GA
Educational Access - EA
Leased Access - LA
Automated Origination - AO
Non-automated Origination - NO
Pay Cable - PC
Control Signal - CS
Other - OH

If nonbroadcast programming will be relayed, include as Exhibit C-6 a statement indicating nature, source and extent of the programming.

4/ Indicate the source of the signal at the proposed station by the appropriate code (1= off air, 2= CARS, 3= Common Carrier, 4= pending CARS application, 5= pending Common Carrier application, 6= other) and give the call sign of the microwave station if the source is a CARS or Common Carrier station. If the source of the signal at the proposed station is a CARS or Common Carrier station for which an application is pending, enter code 4 or 5, and indicate the file number of the pending application (e.g., the CARS file number CAR-10063-01 would be indicated by only "10063;" and the Common Carrier file number 432-CF-MP-75 would be indicated by only "432-CF"). If other, enter code 6 and attach as Exhibit C-7 a complete explanation.

5/ Indicate by the appropriate code the authorization for the cable television system(s) to carry the signal(s) relayed (1= Certificate of Compliance, 2= pending Certificate of Compliance, 3= pre-February 15, 1966, 4= former Section 74.1105, 5= more than one of the foregoing codes, 6= other). If the authorization is not the same for each cable television system, enter code 5. If the appropriate code is 5 or 6, attach as Exhibit C-8 a complete explanation.

FCC Form 327

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE D. Site Search and Data *(File a separate Schedule D for each transmit, receive, and passive repeater site. See reverse side for further instructions.)*

LEGAL NAME OF APPLICANT *(If person list last name first)*

CONTINUE NAME HERE IF NEEDED

If a receive or passive repeater site, indicate the number of the path which feeds this site. If transmit site enter number 00. ► NO.

Draw a vertical profile sketch of the complete antenna support structure in this space.

If the structure is proposed, indicate the call sign of any Standard Broadcast station transmitter located within 1.0 kilometer (0.62 mile) of the proposed structure. ► CALL SIGN

If the applicant proposes construction of a major communications facility as defined in Part 1, Subpart I, of the Commission's Rules, attach as Exhibit D-1 a statement containing the information required in Subpart I.

If these facilities will be mounted on an antenna support structure previously authorized by the Commission, include as Exhibit D-2 a statement identifying the licensee or permittee, call sign, service of station, and current obstruction lighting (list by reference applicable paragraphs of FCC Form 715).

Construction of certain structures and alterations to structures may require notification to the Federal Aviation Administration (FAA). (See Section 17.7 of the Rules.) If such a notification was made, and the construction or alteration is proposed, attach as Exhibit D-3 a copy of such notification.

If the structure will be located on land under the jurisdiction of the U.S. Forest Service, the U.S. Department of Agriculture, or the Bureau of Land Management, the U.S. Department of Interior, certification shall be made as Exhibit D-4 that approval has been received from the appropriate agency for the use of the site, subject to the grant of this application.

NOTE: 1.0 foot = 0.3048 meter
1.0 meter = 3.2808 feet

OHAGL of complete structure ►	feet	=	meters
OHAGL of building (if any) ►	feet	=	meters
Height of ground AMSL	feet	=	meters
North Latitude ►	°	'	"
West Longitude ►	°	'	"

SITE COMMUNITY | COUNTY

LOCATION (STREET ADDRESS OR DISTANCE AND DIRECTION OUTSIDE THE COMMUNITY) | STATE

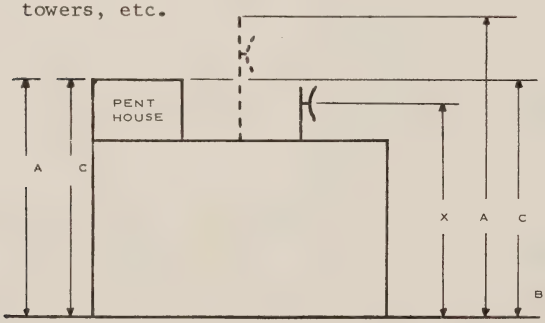
Sketch: The sketch should be a vertical profile of the antenna support structure. The sketch should show the antenna support structure in its entirety, whether it is a tower, building, or other. If the antenna support structure is to be mounted on a building, include the complete structure, e.g., penthouses and chimneys. The sketch should include:

1. Proposed and existing CARS station antenna installation including parabolic dishes and passive reflectors. In the case of a periscope configuration where the antenna and reflector are not co-mounted on the same structure, include both antenna support structures.
2. All other top-mounted devices, e.g., whip or search antenna(s) or obstruction lighting which contribute to the overall height of the structure.
3. Any base on which the support structure is mounted.

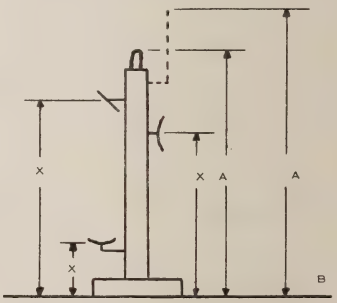
If a particular site will have two or more antenna support structures associated with this application, e.g., two towers in close proximity or two separate buildings, submit a separate sketch for each support structure.

Representative sketches showing components whose elevations should be included are given below:

Sketch 1: Applies to antenna structures mounted on buildings, water or fire towers, etc.



Sketch 2: Applies to antennas mounted on conventional towers, masts, poles, etc.



A is the total overall height above ground level (OHAGL) of the antenna support structure including all appurtenances. A includes all penthouses and chimneys if the support structure is a building as in sketch 1, and top-mounted obstruction lighting which contributes to the overall height of the support structure as in sketch 2. Note that A includes any base that the tower might be mounted on. Note also that A includes any top-mounted devices such as whip antennas as shown in the dotted portion of sketch 2.

B is the elevation of the ground above mean sea level (AMSL) at the antenna support structure site.

C is the overall height above ground level (OHAGL) of the building, if applicable. Note that C will not equal A if the antenna tower extends above the topmost point of the building (see dotted portion of sketch 1).

X is the center height above ground level (AGL) of the antenna(s) and reflector(s) which should be used when stating the height(s) of these components.

FCC Form 327

APPLICATION FOR CABLE TELEVISION RELAY SERVICE STATION AUTHORIZATION

SCHEDULE E. Path Data

(Each Schedule E should contain information for one path only, should list all the cable television systems served from the receive site, and should list all the microwave channels transmitted on this path and the transmit antenna input power for each channel. See reverse side for further instructions.)

PATH NUMBER 1/ ►

TRANSMIT ANTENNA MODEL NUMBER 2/			TRANSMIT ANTENNA MAKE (MANUFACTURER)				HEIGHT (AGL) FT.	=	METERS
SECOND TRANSMIT ANTENNA MODEL NUMBER (IF USED) 2/			SECOND TRANSMIT ANTENNA MAKE (IF USED)				HEIGHT (AGL) FT.	=	METERS
	TRANSMIT REFLECTOR SIZE ►	FEET X FEET =	METERS X METERS	SHAPE CODE ►		CURVATURE CODE ►	HEIGHT (AGL) FT.	=	METERS
RECEIVE ANTENNA MODEL NUMBER 2/			RECEIVE ANTENNA MAKE (MANUFACTURER)				HEIGHT (AGL) FT.	=	METERS
	RECEIVE REFLECTOR SIZE ►	FEET X FEET =	METERS X METERS	SHAPE CODE ►		CURVATURE CODE ►	HEIGHT (AGL) FT.	=	METERS

PATH DATA 3/ — PATH DISTANCE ► MILES = KM. — TRANSMITTING AZIMUTH ► ° .

If Part 78 of the Rules requires a statement that the applicant has investigated the possibility of using cable rather than microwave and the reasons why it was decided to use microwave rather than cable, attach as Exhibit E-1 such a statement.

If any of the programming relayed on this path will not be delivered to a cable television system(s), attach as Exhibit E-2 a statement identifying such cable system(s) and identifying such programming the cable system system(s) will receive.

Indicate below all Cable Television Systems to be served from the receive site. 5/

COMMUNITY UNIT CODE | COMMUNITY

LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

COMMUNITY UNIT CODE | COMMUNITY

LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

COMMUNITY UNIT CODE | COMMUNITY

LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

COMMUNITY UNIT CODE | COMMUNITY

LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

COMMUNITY UNIT CODE | COMMUNITY

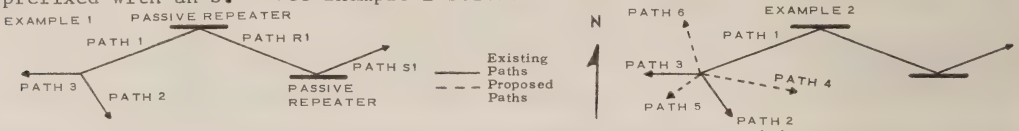
LEGAL NAME OF OPERATOR *(If person, list last name first.)*

CONTINUE NAME HERE IF NEEDED

Indicate below the Microwave Channels to be relayed on this path and the Antenna Input Power 4/

Channel designator	Antenna input power (dBm)

1/ Path Number: Paths shall be numbered consecutively starting clockwise at true north. In the case of a path which utilizes a passive repeater(s), each component path to and from the repeater(s) shall be considered separately. The path from the transmitting antenna to the first passive repeater shall be numbered in accordance with the procedure given above; the path from the first repeater to the receiving antenna or second repeater (if any) shall be labeled with the same path number as the initial portion of the total path but shall be prefixed with an R; the path from the second repeater to the receive antenna should be numbered similarly but prefixed with an S. See Example 1 below:



If the application proposes to add an additional receive site(s) to an existing station, the new path(s) shall be numbered sequentially. See Example 2.

2/ Transmit and Receive Antennas: For the antennas used to transmit and receive on a particular path, the antenna manufacturer, model number, and height of the center of the antenna above ground level (AGL) shall be stated in the appropriate spaces. If a second transmit antenna will be utilized on the path, include the foregoing information in the spaces provided. If a periscope configuration will be utilized for either the transmit or receive antennas, the following information shall be provided in the appropriate spaces: size of reflector (give smallest and largest dimensions), height above ground level (AGL) of center of reflector, and reflector configuration. Use the two character code given below, e.g., 2 F.

SHAPE	CURVATURE
1- round or elliptical	F- flat
2- square or rectangular	P- parabolic
3- truncated round or elliptical	
4- truncated square or rectangular	

If a passive repeater will be utilized on the path, include (in the spaces set aside for reflector) data as to the repeater's size and the height above ground level (AGL) of the center of the repeater.

3/ Path Data: The following information shall be provided in the appropriate spaces: path distance (from transmit antenna to receive antenna--if there is an intervening passive repeater(s), do not use total path length, use distance to or from repeater as appropriate), and azimuthal angle of path (to nearest tenth of a degree--again in the case of a passive repeater(s), use azimuth of applicable portion of total path).

4/ Channel Designator and Antenna Input Power: The microwave channel(s) to be transmitted along a particular path should be listed by its proper designator(s) including channel group, number, and polarization. Associate with each channel designator the antenna input power (after waveguide and multiplexing losses) for that particular channel.

5/ Cable Television Systems to be Served from the Receive Site: Include cable television systems that will be served from the path's receive site. If the path will perform a repeater function, i.e., will serve no cable television system at the receive site, no system should be listed. For each cable television system listed, include the following in the appropriate spaces: name of community served by the cable television system, FCC community unit code (e.g., NJ2101), legal name of operator (if individual, last name first), and name for doing business in cable television system community (if different from legal name). If more space is needed for listing the cable television systems served or the microwave channels to be relayed, use additional Schedules E.

FCC Form 395
January 1975

FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

Form Approved
OMB No. 52-R0212

SUBMIT two copies to FCC

ANNUAL EMPLOYMENT REPORT 1975
(See Instructions)

SUBMIT two copies to FCC

SECTION I (applicable to all respondents)

A. [ ] Common Carrier Respondents with fewer than sixteen (16) full-time employees during the selected payroll period: CHECK BOX A, Complete Section III, and the Certification Statement. Sign and return to the FCC.

B. [ ] Broadcast or Cable Television Respondents with fewer than five (5) full-time employees during the selected payroll period: CHECK BOX B. Complete Sections II, III, & IV and the Certification Statement. Sign and return to the FCC.

SECTION II (applicable only to Broadcast and Cable Television respondents)

Check A, B, or C to indicate type of Reporting Unit(s) covered in this Report:

A. [ ] For a single employment unit consisting of one or more stations or cable television systems

B. [ ] For a single Headquarters Office Report

C. [ ] A Consolidated Report

SECTION III (applicable to all respondents)

A. Check one, to indicate type of respondent
- [ ] Broadcast Respondent
- [ ] Common Carrier Respondent
- [ ] Cable Television Respondent

B. Pay Period Ending Covered by this Report: _____ *(date)*

C. IF NO MAILING LABEL IS AFFIXED BELOW, OR THE NAME AND ADDRESS ON THE MAILING LABEL IS INCORRECT, COMPLETE THE FOLLOWING

Name, address and code no. (if any) of respondent | CODE NO.

DO NOT REMOVE THE MAILING LABEL AFFIXED BELOW

YOU HAVE RECEIVED THREE COPIES OF FCC FORM 395. RETURN COPY WITH MAILING LABEL (AFFIXED HERE) TO THE FCC. RETURN ONE ADDITIONAL COPY TO FCC. RETAIN THIRD COPY FOR YOUR FILES.

SECTION IV (applicable only to Broadcast and Cable Television respondents)

Answer A, B, C, or D to identify Reporting Unit(s) covered in this Report

A. Answer if a Broadcast Station Report - (not a CAR station)

(1) Check *one*
- AM [ ] AM
- TV [ ] TV
- FM [ ] FM Independent
- AF [ ] Combined AM and FM
- FA [ ] FM Affiliated with AM in Same Area
- [ ] International

(2) Call Letters _____ Location _____

Check, if station is noncommercial:
- ET [ ] Educational TV
- ER [ ] Educational Radio

B. If a Cable Television System "single employment unit" Report (i.e., for an employment unit consisting of one or more Cable Television Systems and/or Cable Television Relay Stations):

(1) Check *one*
- [ ] A Cable Television System
- [ ] A combination consisting of any of the following:
  (i) two or more Systems, or
  (ii) two or more Stations, or
  (iii) one or more Systems *and* one or more Stations

(2) List the Cable Television Systems and/or Cable Television Relay Stations in the employment unit. (NOTE: (i) For each Cable Television System, list name of system's company, community served, State, and code number. (ii) For each Cable Television Relay Station, list call letters. (iii) If the space below is insufficient, answer on an attached sheet of paper, identified as Appendix No. _____

Name of Cable Television System	Community Served	State	Code No.

(3) Is the list of Cable Television Systems set forth above (in answer to Item (2)) identical to the information (list of Cable Television Systems) set forth in the systems "Cable Television Annual Financial Report" (FCC Form 326) due this year.
[ ] YES [ ] NO

C. If a *Headquarters Office Report*, list here (or in Appendix ____, if this space is insufficient) the Headquarters Office covered in this Report.

Name of Headquarters Office (and code no., if any)	Location of Headquarters Office	Stations or Cable Television Systems supervised by listed Hdqrs. Office (If station, list call letters, if cable system, list community served, state and code no.)

D. If a *Consolidated Report*, list here (or in Appendix ____, if this space is insufficient) the Headquarters, Stations, and Cable Television Systems covered in this Consolidated Report.

Headquarters Office(s) Names and Locations and Code No., if any	Station Call Letters and Locations or Cable Systems and Communities Served, State and Code No.

SECTION V - FULL-TIME PAID EMPLOYEES (applicable to all respondents)

JOB CATEGORIES[1]	ALL EMPLOYEES[2]			MINORITY GROUP EMPLOYEES							
				MALE				FEMALE			
	Total (Col. 2+3) (1)	Male (2)	Female (3)	Negro (4)	Oriental (5)	American Indian[3] (6)	Spanish Surnamed American (7)	Negro (8)	Oriental (9)	American Indian (10)	Spanish Surnamed American (11)
Officials and managers											
Professionals											
Technicians											
Sales workers											
Office and clerical											
Craftsmen (Skilled)											
Operatives (Semi-skilled)											
Laborers (Unskilled)											
Service workers											
TOTAL											
Total employment from previous report (if any)											

[1]Refer to Instructions for explanation of all title functions.

[2]Include "Minority Group Employees" and others. See instruction 6.

[3]In Alaska, include Eskimos and Aleuts with "American Indian."

SECTION VI - PART-TIME PAID EMPLOYEES (applicable to all respondents)

JOB CATEGORIES[1]	ALL EMPLOYEES[2]			MINORITY GROUP EMPLOYEES							
				MALE				FEMALE			
	Total (Col. 2+3) (1)	Male (2)	Female (3)	Negro (4)	Oriental (5)	American Indian[3] (6)	Spanish Surnamed American (7)	Negro (8)	Oriental (9)	American Indian (10)	Spanish Surnamed American (11)
Officials and managers											
Professionals											
Technicians											
Sales Workers											
Office and clerical											
Craftsmen (Skilled)											
Operatives (Semi-skilled)											
Laborers (Unskilled)											
Service workers											
TOTAL											
Total employment from previous report (if any)											

[1]Refer to Instructions for explanation of all title functions.

[2]Include "Minority Group Employees" and others. See instruction 6.

[3]In Alaska, include Eskimos and Aleuts with "American Indian."

SECTION VII - (applicable to all respondents)

(The data below shall also be included in the figures for the appropriate occupational categories in Sections IV and V)

JOB CATEGORIES		ALL EMPLOYEES[1]			MINORITY GROUP EMPLOYEES							
					MALE				FEMALE			
		Total (Col. 2+3)	Male (2)	Female (3)	Negro (4)	Oriental (5)	American Indian[2] (6)	Spanish Surnamed American (7)	Negro (8)	Oriental (9)	American Indian (10)	Spanish Surnamed American (11)
On-the-job trainees[3]	White collar											
	Production											

[1] Include "Minority Group Employees" and others. See instruction 6.

[2] In Alaska, include Eskimos and Aleuts with "American Indian."

[3] Report only employees enrolled in formal on-the-job training programs.

CERTIFICATION

(This report must be certified: by licensee, permittee, or owner of cable television system, if an individual; by a partner, if a partnership; by an officer, if a corporation or association; or by an attorney of licensee, permittee, or individual owner of cable system, in case of physical disability or absence from the United States of the licensee, permittee, or owner of the cable system.)

I certify that to the best of my knowledge, information and belief, all statements contained in this report are true and correct.

Signed . . . . . Title . . . . . .

Date . . . . . Name of Respondent . . . . . .

(must be the same as Item IIC)

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE OR IMPRISONMENT. U.S. CODE, TITLE 18, SECTION 1001.

SECTION III

Cable Television State Regulation

Surveying Franchising and other State law and Regulation in Cable Television. Developed by the FCC.

including

Addendum I
1976 State Legislation

Survey of Franchising and Other State Law and Regulation on Cable Television

Summary

The attached survey reflects the status of cable television under the laws of each state and names the local level of government responsible for granting a franchise. Citations are included to state Attorney General opinions and to leading cases in which the FCC has accepted an alternative proposal in lieu of a franchise.

Information contained herein was verified by an attorney either in the state Attorney General's office or in the relevant legislative council. It should not be misconstrued as an interpretation of state law. Changes occur each year as new legislation is adopted. Any suggestions for additions, corrections, or changes in this document are welcomed.

Introductory Remarks

The objective of the following document is to provide a compendium on individual state approaches to cable television by citing state law presently enacted on cable television and by pointing out currently known problems on the question of franchising authority. Basically, the following questions are addressed on a state-by-state basis:

(1) Does the state regulate cable television?
(2) Who is the franchising authority? (and by what authority?)
(3) If an issue exists concerning the appropriate franchising authority, has a state Attorney General issued an opinion?
(4) What laws have been passed on cable television?
(5) Has the FCC accepted an alternative proposal in lieu of a franchise in the case of no existing franchising authority?

With fifty different states having fifty different sets of laws and fifty different plans of governmental subdivisions, there are fifty different situations with respect to cable television. On the state regulation issue, these range from opinions that no need has arisen for regulation by the state to statutes authorizing comprehensive regulatory programs. On the question of franchising authority, the situation may range from an unchallenged claim of jurisdiction to a statute specifying that a particular locality has authority to grant a franchise to a cable television system. The most frequent problem encountered is whether or not a statute could allow the grant of a "franchise," as such is defined in the FCC Rules and Regulations, Section 76.31. The other major problem is also one of definition—"public utility." A locality may have authority to grant franchises to companies defined as "public utilities"; but, if cable is not defined, a variety of results may occur.

State-Level Regulation

This attempt at categorizing reveals that currently eleven states have adopted some form of state regulation. Massachusetts, Minnesota and New York have established independent commissions on cable television; the franchising authority in these states rests with the localities rather than the state. Alaska, Connecticut, Delaware, Hawaii, Nevada, New Jersey, Rhode Island and Vermont regulate cable television through their public utility commissions; the franchising authority in these states is solely the state regulatory agency, with the exception of New Jersey and Delaware where cable is not defined as a

public utility and municipalities grant the franchises. In Delaware, the state authority acts as the franchising authority only for unincorporated areas of counties. Rhode Island is unique in being the only state in which, although cable television is not defined as a public utility, the PUC is the sole franchising authority.

Local Regulation by Specific State Statutes

In addition to the above states, Arizona, Illinois (excluding townships), Indiana, Iowa, Kansas, Maine, Nebraska, New Hampshire, North Carolina, South Dakota, and Virginia have adopted specific statutes granting authority to municipalities to franchise cable television systems. Among these states, specific statutes also authorize counties to do the same in Arizona, Nebraska and North Carolina.

Broad Statutory or Constitutional Authority

Broad statutory authority to issue franchises or comparable licenses is granted to both municipalities and counties in California, Florida, Louisiana (parishes are equivalent to counties), Maryland (except noncharter counties), Michigan, Ohio (except townships), Tennessee, Utah and West Virginia. In the following states, general franchising authority is granted only to municipalities by a broad statutory provision: Arkansas, Colorado, Georgia, Idaho, Mississippi, Missouri (only charter cities), Montana, North Dakota, Oklahoma, South Carolina, Texas, Washington and Wyoming.

Broad constitutional provisions authorize both municipalities and counties to issue franchises in Kentucky and Oregon. Similar provisions in New Mexico and Wisconsin authorize only municipalities to grant franchises. In Arkansas, Kansas and Missouri (only home rule counties), statutes grant franchising powers to municipalities while broad constitutional provisions grant them to counties.

Absent specific statutes, whether or not a broad constitutional or statutory provision authorizes franchising of cable television systems, is highly subject to debate. The above categorization is constantly subject to change as new laws are adopted. In case you miss Alabama and Pennsylvania among the states listed, each fails to be subject to any of the above categories. In Alabama, franchising authority is granted to a local governing body by specific legislative acts. In Pennsylvania, the authority of municipalities is limited to the grant of permits for rights of way; but even such authority is questionable for second class townships and third class cities. This special attention is not intended to single out Pennsylvania as the only state where authority is limited to the right to allow the installation of equipment along streets and ways. The extent of jurisdiction is subject to debate in any state where it is not clearly defined.

Alternative Proposals and Attorney General Opinions

Franchising authority is non-existent or questionable in some areas of many states. The FCC has accepted alternative proposals for cable television operations in counties (usually unincorporated areas) in Alabama, Colorado, Georgia, Idaho, Illinois, Indiana, Maryland, Missouri, New Mexico, Oregon, South Carolina, Texas, Washington and West Virginia. Alternative proposals have been accepted for municipalities in Montana and Pennsylvania.

The Attorneys General in Illinois, Maryland, Michigan, New Mexico, Ohio and West Virginia have rendered official opinions on specific franchising authority issues. Unofficial comments or letters have been received from offices of Attorneys General in Georgia, Mississippi, Pennsylvania, South Carolina, Texas and Washington.

Pending Legislation*

As of mid-April, 89 bills relating to cable television had been introduced in 28 states in legislative sessions for the year 1975.** Significant bills proposing regulation of cable television at the state level were proposed in California, Colorado, Georgia, Illinois, Maine, Mississippi, New Hampshire, Oregon, Pennsylvania, Texas, South Carolina, Washington, West Virginia and Wyoming. All bills proposed public utility type regulation with the exception of Illinois (Illinois Commerce Commission), Oregon (which proposes an advisory type state commission on all telecommunication) and Maine (which had 2 PUC bills and one independent commission bill). Sessions already are closed in New Hampshire, West Virginia and Wyoming, where no bills were adopted.

Some legislation was proposed to change existing regulatory schemes. A Connecticut bill proposes to study the possibility of removing cable TV from PUC jurisdiction. Massachusetts has bills proposing to increase the power of the Department of Public Utilities over cable TV and abolish the present state regulatory commission. In New Jersey's legislature, a bill is pending to establish a "cable television council" as a separate agency in the Department of Public Utilities; in 1972 an "office of cable television" was established within the Board of Public Utilities of the Department of Public Utilities.

Final Remark

Information was verified by an attorney either in the state Attorney General's office or in the legislative council. It should in no way be construed as a legal interpretation of state law. The contents herein are highly flexible—an attempt to freeze a subject in perpetual motion. Additions and subtractions will be incorporated as changes occur.

Summary of State Legislation—1975

During legislative sessions in 1975 a total of 123 bills and 3 resolutions relative to cable television were introduced in 33 states. In 13 legislatures 24 of these bills and 1 resolution were adopted into law.

Legislation proposing regulation of cable television at the state level was introduced in California, Colorado, Georgia, Illinois, Maine, Michigan, Mississippi, New Hampshire, Oregon, Pennsylvania, South Carolina, Texas, Washington, West Virginia, Wisconsin and Wyoming. None of these bills were adopted with the exception of Texas legislation establishing a public utilities commission; the bill, however, specifically excluded cable television from the definition of a public utility and eliminated it from public utility commission jurisdiction. Bills concerning franchising or right of way were introduced in Arkansas, Illinois, Massachusetts, Minnesota, South Carolina, Tennessee and Wisconsin. Among these bills Illinois adopted legislation permitting county boards to franchise and tax cable television systems, and South Carolina revised local government law to allow counties to grant franchises generally under new home rule powers.

Other matters on which legislation was proposed included theft of service, taxation and exemption from taxation, subscriber rates, pole use and rates, landlord interference, appropriations and finance, and translators or reception improvement, as well as various

*See Addendum I for update of legislation through June 30, 1976.

**For the record, 73 bills were introduced in 1974 legislative sessions in 28 states (not necessarily the same 28).

amendments to existing laws on cable television. Theft of service bills were adopted in California and New York. Assessment or taxation laws were added to statutes in Arkansas, New York, Wisconsin and Washington. The Washington law, however, does not tax cable systems or subscribers but imposes an annual state use tax on TV sets (maximum $25 per set) in television reception improvement districts unless they are served by cable television.

Among states which regulate cable television, several notable bills were adopted. Connecticut and Massachusetts adopted laws, respectively, to protect the right of individuals in multi-unit dwellings to obtain cable television services without landlord interference and to use master or individual antenna equipment without interference due to agreements between landlord and cable operator. Connecticut reorganized the Public Utilities Commission, replacing it with the Public Utilities Control Authority, effective December 1, 1975. This legislation also established a task force to study the advisability of removing cable television from PUCA jurisdiction. Massachusetts also adopted legislation to study changes in its cable television law. New York increased from one to two percent the maximum percentage of gross annual receipts which can be obtained from a cable company for purposes of administering the state regulatory program.

Hearings or special meetings concerning state regulation of cable television were held in Wisconsin, Minnesota and Michigan.

Bills concerning cable television which were introduced in 1975 sessions carry over to 1976 sessions in Delaware, Georgia, Hawaii, Michigan, Minnesota, New York, South Carolina, Tennessee and Wisconsin.

Summary Code

Basis of Franchising Authority

AP – Alternative proposal accepted by FCC
C(B) – Broad constitutional authorization
CJ – Claim of jurisdiction unchallenged; no specific statute
CL – Case law; jurisdictional issue taken to court and upheld
N – No franchising authority for cable television
P – Partial regulation of cable television
Q – Authority questionable intra-state
S(B) – Broad statutory authority for franchising; statute not specifically directed toward cable television
S(S) – Specific statutory authority for franchising of cable television systems

Attorney General Opinion

O – Official published opinion by the state Attorney General
N – None
U – Unofficial comment or letter from a state Attorney General's office

State Regulatory Authority

CC – Independent cable commission
PU – Public utility type regulation (PUC, PSC, PSB)
N – None

Non-Franchise Statutes

N – No statute adopted on cable television in areas other than franchising, if any
Y – Statute(s) other than or in addition to franchising adopted on cable television

Coded Summary

State	State Regulation	Franchising Authority			A.G. Opinion	Non-Franchise Statutes
		State	County	Municipality		
AL	N	N	AP	S(S)[1]	N	N
AK	PU	S(S)	N	N	N	N
AZ	N*	N	S(S)	S(S)	N	N
AR	N	N	C(B)	C(B),S(B)	N	Y
CA	N*	N	S(B)	S(B)	N	Y
CO	N	N	CJ,AP	S(B)	N	N
CT	PU	S(S)	N	N	N	Y
DE	PU*	P,S(S)	N	S(S)	N	Y
FL	N	N	C(B),S(B)	C(B), S(B)	N	Y
GA	N	N	AP	S(B)	U	N
HI	PU	S(S)	N	N	N	Y
ID	N	N	AP	S(B)	N	N
IL	N	N	S(S)	S(S)[2]	O	N
IN	N	N	CJ,Q,AP	S(S)	N	Y
IA	N	N	N	S(S)	N	N
KS	N	N	C(B)	S(S)	N	N
KY	N	N	C(B)	C(B)	N	N
LA	N	N	S(B)[3]	S(B)	N	Y
ME	N*	N	N**	S(S)	N	Y
MD	N	N	S(B),AP	S(B)	O	N
MA	CC	N	N	S(S)	N	Y
MI	N	N	C(B),S(B)**	C(B),S(B)	O	Y
MN	CC	N	S(S)	S(S)	N	Y
MS	N*	N	N	S(B)	U	Y
MO	N	N	C(B)[4],AP	S(B)[5],CL	N	N
MT	N	N	N	S(B),AP	N	Y
NE	N	N	S(S)	S(S)	N	N
NV	PU	S(S)	N	N	N	N
NH	N	N	Q	S(S)	N	N
NJ	PU*	S(S)	N	S(S)	N	Y
NM	N*	N	AP	C(B)	O	N
NY	CC	N	S(S)	S(S)	N	Y
NC	N*	N	S(S)	S(S)	N	Y
ND	N	N	N	S(B)	N	N
OH	N	N	C(B),S(B)	C(B),S(B)	O	N
OK	N	N	N	S(B)	N	N
OR	N	N	C(B),AP	C(B)	N	N
PA	N	N	N	CL,AP	U	N
RI	PU*	S(S)	N	N	N	N
SC	N	N	AP	C(B),S(B)	U	N
SD	N	N	N	S(S)	N	Y
TN	N	N	S(B),CJ	S(B)	N	N
TX	N	N	AP	S(B)	U	N
UT	N*	N	S(B),CJ	S(B),CJ	N	Y
VT	PU	S(S)	N	N	N	Y
VA	P	N	S(S)	S(S)	N	N
WA	N	N	AP	S(B)	U	Y
WV	N	N	S(S),AP	S(S)	O	N
WI	N	N	N**	C(B),CJ	N	N
WY	N	N	N	S(B)	N	N

*Cable television is defined not as a public utility by A.G. opinion, State case or statute.
**County has no unincorporated areas or little area outside of incorporated municipalities.
[1]Specific local bills must be adopted.
[2]Except townships.
[3]Parishes are the equivalent of counties.
[4]Only home rule counties; all others governed by statute.
[5]Only charter cities; all others governed by statute.

ALABAMA

State Regulation – None

Franchising Authority – Local governing bodies, by legislation

Cities, towns, and counties are authorized by specific local bills, contained in *Acts of Alabama*, to enter into a contract with a communications company. For example, Uniontown was granted this authority in 1971. *Acts of Alabama*, No. 187 (1971). Jefferson County was granted franchising authority in 1965. *Acts of Alabama*, Vol. 1, p. 255 (1965).

The FCC has accepted the suggestion that counties generally cannot issue franchises. *Mobile TV Cable*, FCC 74-520, 47 FCC 2d 93 (1974).

ALASKA

State Regulation – PUC

The Alaska Public Utilities Commission Act (1970), effective July 1, 1970, authorized the regulation of cable television by the Public Utilities Commission. *Alaska Stat.* §42.05.

Franchising Authority – PUC

The Public Utilities Commission requires all systems to obtain a certificate of public convenience and necessity (after July 1, 1970).

ARIZONA

State Regulation – None

Franchising Authority – Cities, towns and counties

The Board of Supervisors of a county or the governing body of an incorporated city or town has authority to issue a license, effective August 9, 1974. *Ariz. Rev. Stat. Ann.* §9-505.01 through 505.04 (1974). New systems must obtain a license (after April 1, 1974); licenses of existing systems expire on April 1, 1989, or upon termination by the licensing authority.

Note: The FCC accepted an alternative proposal for a county area in *Sun Valley*, FCC 73-27, 39 FCC 2d 105 (1973). In *Rincon Valley*, FCC 74-741, 47 FCC 2d 1086 (1974), the Commission recognized that Arizona counties now have franchising authority.

ARKANSAS

State Regulation – None

Franchising Authority – Municipalities and counties

Municipalities have authority to grant franchises *Ark. Stat. Ann.* §73-208 (1947). Constitution grants home rule powers to municipalities.

In *Village CATV*, FCC 74-642, 47 FCC 2d 952 (1974), the FCC accepted the proposition that Benton County cannot issue CATV franchises; however, by amendment adopted by referendum in general election Nov. 11, 1974, authority was granted to a county judge with the consent of quorum courts to grant franchises. *Ark. Constitution*, Vol. I. Effective: Jan. 1, 1977.

Other State Law

1. Act 175 of 1975 declares cable television a utility for tax purposes only. Authorizes Ark. Public Service Commission to assess cable systems at 20% of market value. Effective Feb. 18, 1975. *Ark. Stat. Ann.* §84-103(b) (1975).
2. A privately owned cable television system cannot be placed on the right of way limits of state highways without executing a bond to be approved by the State Highway Commission. *Ark. Stat. Ann.* §76-544 (1975).

CALIFORNIA

State Regulation – None

Cable television is defined in the Public Utilities Code not as a public utility, and the PUC is given limited jurisdiction over the construction, operation and maintenance of cable systems in technical areas for safety purposes. No regulations have been promulgated. *West Cal. Ann. Public Utilities Code* §§215.5 and 768.5.

Franchising Authority – Cities and counties

Cities and counties may issue a franchise or license. *West Cal. Ann. Government Code* §§53066.

Other State Law

Any person who makes unauthorized connection to any part of a cable television system is guilty of a misdemeanor punishable by a maximum fine of $200 or by imprisonment not exceeding 30 days. *West Cal. Ann. Penal Code* §593d (1975).

COLORADO

State Regulation – None

Franchising Authority – Cities and towns; a.p. accepted for counties

Cities and towns are provided the following statutory powers, in addition to general police powers: to license businesses, to grant public utility franchises, to license and regulate the use of streets and sidewalks. *Colo. Rev. Stat. Ann.*, §§31-12-301, 31-15-301, 31-32-191, 31-12-101 (6), and 31-12-101 (20) (Cum. Supp. 1973).

Counties are not empowered to grant franchises unless delegated by statute. However, a Board of County Commissioners has control over rights of way in a county. *Colo. Rev. Stat. Ann.* §30-11-107 (1) (Cum. Supp. 1973); thus, counties have held hearings and have passed resolutions which authorize cable systems to use county ways.

Also, in *Jones International, Ltd.*, FCC 74-1127, 49 FCC 2d 421 (1974), the Board of County Commissioners advised that the county has no legal authority to grant cable television franchises. In *Leacom, Inc.*, FCC 74-903, 48 FCC 2d 533 (1974), the FCC accepted an alternative franchise proposal (letter from County Attorney stated the county has no authority to issue cable television franchises because it has not been delegated to it by statute).

CONNECTICUT

State Regulation – PUC

Cable television is defined as a public utility and regulated by the Public Utilities Commission, as authorized by legislation enacted in 1963. *Conn. Gen. Stat. Rev.* §16-330-333. Legislation in 1975 changed the PUC to the Public Utilities Control Authority.

Franchising Authority – PUC

The Public Utilities Control Authority, the sole franchising authority in the state, issues a certificate of public convenience and necessity. Rules of practice and regulations (includes standards for construction and terms and conditions of operations) have been established for cable television. The state franchise fee (8 percent tax on gross receipts) was approved by the FCC in *Coastal Cable TV Co.,* FCC 74-731, 47 FCC 2d 877 (1974).

Other State Law

1. Sales tax repealed on utilities, including community antenna television (Public Act No. 74-4). *Gen. Stat.* §12-412(c) and (p).
2. Cable television systems are required to pay to the state an annual tax of 8% of gross earnings (Public Act No. 74-329). *Gen. Stat.* §12-264, as amended, 1973, P.A. 73-442.
3. Cable systems are required to pay annual tax on the benefits paid under an employee welfare plan (Public Act No. 74-300). *Gen. Stat.* §12-212(c).
4. Commission on the Education and Informational Uses of Cable Telecommunications is established. (Special Act No. 74-111).
5. Cable systems shall be reimbursed for removal or relocation by redevelopment agency responsible for closing of any street or public right-of-way (Public Act No. 75-130). *Gen. Stat.* §8-133(a).
6. Tenants in multi-unit residential buildings may obtain community antenna television services without landlord interference, provided cable companies meet certain conditions (Public Act No. 75-301).
7. Cable companies are not liable for damages in slander actions (Public Act No. 75-120). *Gen. Stat.* §52-239.
8. Public Utilities Control Authority is established to replace the Public Utilities Commission, effective Dec. 1, 1975. A task force will study the advisability of removing telecommunications, including cable television, from PUCA jurisdiction (Public Act No. 75-486).
9. The State Board of Television and Radio Service Examiners is transferred from the Department of Public Works to the Department of Consumer Protection, effective July 1, 1975. Repeals *Gen. Stat.* §20-343.

DELAWARE

State Regulation – Public Service Commission (partial)

The Public Utilities Act of 1974, effective June 28, 1974, gave authority to the Public Service Commission to grant franchises in unincorporated areas, to change or modify a municipal franchise, and to establish regulations for cable television. *Del. Code Ann.* title 26.

Franchising Authority – Municipalities and PSC

Municipalities have authority to grant franchises within their incorporated areas. The Public Service Commission issues certificates for areas outside the boundaries of incorporated municipalities; however, it does not require a system to obtain a certificate if it has received a franchise from an incorporated municipality.

FLORIDA

State Regulation – None

Franchising Authority – Counties and municipalities

Although no specific statute authorizes franchising of cable television systems, counties and municipalities are granted broad authority under the state constitution (Art. 8, §1-2, 1968). Municipalities [*Fla. Stat. Ann.* §166.021 (1973)] and counties [*Fla. Stat. Ann.* §125.01-01-.02 (1971)] have authority to issue licenses for rights of way.

In *Bayhead Mobile* (Leon County), FCC 74-589, 47 FCC 2d 763 (1974), the FCC recognized that counties in Florida do have franchising authority. In *Video International Inc.*, FCC 72-1187, 38 FCC 2d 966 (1972), the Commission accepted a "license and permit" to utilize county rights of way as fully consistent with the provisions of Section 76.31.

In some cases (Dade County, for example), the county may claim authority over both city and county (Dade County Home Rule Amendment, *Florida Constitution*, Art. VIII, §11 (1972).

Other State Law

A municipality may levy a tax on the purchase of cable television service. *Fla. Stat. Ann.* §166.231 (1973).

GEORGIA

State Regulation – None

Franchising Authority – Municipalities; each county decides (a.p. accepted)

Municipalities have authority to grant franchises. *Ga. Code* §69. Unofficial Attorney General opinion has stated that the County Commissioners of each county determine their authority to issue a franchise. An alternative proposal was accepted by the FCC in *Big Caneo*, FCC 74-623, 47 FCC 2d 449 (1974).

HAWAII

State Regulation – PUC

The Cable Television Division of the Department of Regulatory Agencies of the Public Utilities Commission has established rules and regulations for cable television under 1970 legislative provisions. *Hawaii Rev. Stat.* §440G (1970).

Franchising Authority – PUC

The PUC, the sole franchising authority, requires all systems (after effective date June 19, 1970), to obtain a CATV permit. In *West Hawaii Cable Vision, Ltd.*, FCC 74-453, 46 FCC 2d 716 (1974), the FCC accepted a state franchise fee of 5%.

IDAHO

State Regulation – None

Franchising Authority – Municipalities; a.p. accepted for counties

Cities have authority to grant franchises to "utility transmission systems"; ordinances granting such franchises may not be issued by the City Council without at least 30-days notice and publication in at least one issue of an official city publication. Idaho Code §§50-328, 329 (1967). An Idaho Supreme Court decision supports the authority of municipalities to grant franchises to cable television systems. *KTVB Inc. v. Boise City,* 486 Pacific 2d 992 (1971), 94 Idaho Reports 279 (1971).

The FCC accepted an alternative proposal in *Bingham County Cable*, FCC 74-179, 45 FCC 2d 546 (1974), after being advised that the county had no authority to grant a franchise.

ILLINOIS

State Regulation – None

Franchising Authority – Municipalities (cities, villages, and incorporated towns) and counties

Municipalities have the express power to license, franchise, and tax community antenna television systems. *Ill. Rev. Stat.* ch. 24, §11-42-11 (1973). Municipality is defined as city, village, or incorporated town; does not include townships.

The County Board may license, tax or franchise community antenna television systems operating within the county and outside of a municipality. Public Act 79-956, effective Sept. 11, 1975. *Ill. Rev. Stat.* ch. 34, paras. 401 and 429.21. Prior to this legislation the Attorney General has stated, "in the absence of any enabling legislation, a county cannot license or franchise community antenna television systems in the unincorporated areas of the county." Attorney General's Opinion, NP-738, April 17, 1974. The FCC has accepted alternative proposals. See *Lakes Cable*, FCC 74-1297, 49 FCC 2d 1131 (1974). Townships have no specific authority to grant franchises; they have only powers granted by law. *Const. of Ill.* Art. 7, §8.

INDIANA

State Regulation – None

Franchising Authority – Municipalities; counties questionable (a.p. accepted)

Cities and towns are granted specific authority to regulate, inspect, license and prohibit services, including television signals. *Ind. Code* §18-1-1.5-13(b) (1971). *Ind. Ann. Stat.* §48-1463 (Burns 1963 Repl., 1972 Supp.).

Counties possess only those powers specifically conferred on them by the General Assembly of the State. Counties may "grant licenses, permits, or franchises with respect to the use of property of the county. . . ." *Ind. Code* §17-1-14-11 (5), *Ind. Ann. Stat.* §26-620 (Burns 1970 Repl., 1972 Supp.). Letter from Allen County Attorney, Aug. 17, 1973, to Board of Commissioners of Allen County concluded that the County has no "authority to regulate, inspect, license, or prohibit the business of Cable Television Communications Systems (CATV) in the unincorporated areas of Allen County." A letter from Chief Counsel, Sheldon A. Breskow to Cable Television Bureau, Oct. 15, 1974, stated that the Indiana Attorney General is not authorized to give an opinion unless requested by the Governor. The FCC accepted an alternative franchise proposal. See *Citizens Cable*, FCC 75-240, 51 FCC 2d 910 (1975). Some counties have asserted jurisdiction. See *Hamilton County,* CAC-1720, INO95.

Other State Law – Any person convicted of theft or conversion of cable television service shall be imprisoned (maximum 1 year) or fined (maximum $1,000). *Ind. Code* §35-17-6 (1971) (approved 4/23/73).

IOWA

State Regulation – None

Franchising Authority – Cities

A Home Rule Amendment passed in 1972 (effective July 1, 1975) provides that cities may grant, amend, extend or renew franchises for cable television systems by ordinance after city election. *Iowa Code Ann.* §364.2 (1975).

Counties do not have home rule; specific legislation would be needed to empower counties to grant franchises. No applications for CAC have been received for county operations.

KANSAS

State Regulation – None

Franchising Authority – Cities and counties

By 1972 legislation cities were authorized to grant franchises to cable television services within cities. *Kan. Stat. Ann.* §12-2006 through §12-2014 (1974).

Counties were granted powers of home rule by 1974 legislation. *Kan. Stat. Ann.* §19-101c (1974). The FCC has not received any CAC applications for county operation.

KENTUCKY

State Regulation – None

Franchising Authority – Cities and counties

No statute specifically concerns cable TV. The state Constitution confers franchising powers on counties, cities, towns, taxing districts, or other municipalities. *Constitution of Kentucky*, §§163, 164.

The FCC has granted CAC's to cable systems operating in counties.

LOUISIANA

State Regulation – None

Franchising Authority – Municipalities and certain parishes

Municipalities, including townships, may issue franchises; in some cases, referendum may be required as stated in home rule charters. *La. Rev. Stat.* §33:4401 (1950).

Parishes (*i.e.*, counties) vary on their authorities to grant franchises. Two types of parishes (parish commission plan and home rule charter parishes) have franchising authority. *La. Rev. Stat.* §33:1282, and *Constitution of La.* 1921, art. 14 §3d. However, police jury system parishes have no authority to issue franchises; they are authorized only to grant the use of rights of way to corporations formed for the purpose of transmitting intelligence. *La. Rev. Stat.* §45:781 (1950). See pending application for CAC for unincorporated areas of Lafourche Parish (LA061, CAC-3006 and LA062, CAC-3007).

Other State Law – Exemption from sales taxes

Law was adopted in 1974 to exempt cable television installation and service expenses from all sales taxes. *La. Rev. Stat.* §47:305.16.

MAINE

State Regulation – None

Franchising Authority – Municipalities

Municipal officers may grant an exclusive franchise of a period not to exceed 10 years. *Me. Rev. Stat. Ann.* tit. 30, §2151, sub-§2 (1974). See law passed by 1974 legislature (L.D. 2361, approved 2/14/74) which defines cable television (not a public utility). *Me. Rev. Stat. Ann.* tit. 30, §1901, sub-§§1-B and 1-C, additional (1974).

Counties do not have home rule; few areas in Maine are outside of incorporated municipalities.

Other State Law

1. The 1974 legislation amended state law to provide that (a) a cable company cannot abandon service without having given 6 months prior written notice to the franchising municipality ($50/day fine for violation) and (b) no cable company shall be liable for damages arising from any obscene statements or invasion of privacy resulting from any program that the company does not originate or produce. *Me. Rev. Stat. Ann.* tit. 30, §2151, sub-§2 (1973).

2. A fine (not more than $100) or imprisonment (not more than 30 days) may be imposed for unlawful usurpation of community antenna television system signals and injury to its equipment. *Me. Rev. Stat. Ann.*, tit. 17, §2508 (1973).

MARYLAND

State Regulation – None

Franchising Authority – Municipalities and counties (except non-charter counties; a.p. accepted)

Municipalities may "grant franchises as provided under existing public general or public local laws." *Md. Ann. Code* art. 23A, §2 (13).

A county may or may not grant a franchise. According to the Attorney General of Maryland, charter counties, and code counties have franchising authority. *Md. Ann. Code,* art. 25A, §5(b) and art. 25B, §13. See 57 Opinions of the Attorney General #703 (1972). However, County Commissioners (non-charter counties) may grant franchises only as provided under existing public general or existing public local laws. *Md. Ann. Code*, art. 25A, §3(c).

In *Discovery Cable*, FCC 74-968, 48 FCC 2d 1004 (1974), and *Frederick Cablevision, Inc.,* FCC 74-1166, 49 FCC 2d 496 (1974), the FCC granted alternative proposals for non-charter counties which did not have franchising authority.

MASSACHUSETTS

State Regulation – Community Antenna Television Commission

The Community Antenna Television Commission, established in 1971, has authority to revoke a franchise. *Mass. Gen. Laws Ann.* ch. 166A (1971). The Commission has established regulations for granting community antenna television licenses, but it does not issue certificates.

Franchising Authority – Cities and towns

Cities or towns have authority to issue licenses to cable television systems. *Mass. Gen. Laws Ann.* ch. 166A §3 (1971).

Other State Law

1. Municipal lighting plants are authorized to operate and maintain community antenna television systems. *Mass. Gen. Laws Ann.* ch. 164, §34 (1973).
2. Tenants or occupants of a building served by CATV have the right to use master or individual antenna equipment without interference due to any agreement between cable operator and building owner. *Mass. Gen. Laws Ann.* Ch. 166A §22. Ch. 596, approved Sept. 9, 1975.
3. A number of editorial amendments have been adopted. *Mass Gen. Laws Ann.* Ch. 166A §§1, 2, 4, 5, 6, 7, 9, 11, 13, 14, 15, and 19. Ch. 674 approved Nov. 1, 1975.

MICHIGAN

State Regulation – None

Franchising Authority – Cities, villages, townships; counties

According to the Attorney General, "Pursuant to the home rule act (1909 PA 279 *et seq.* as amended; MCLA 117.1 *et seq.*; MSA 5.2071 *et seq.*) and the Const. 1963, art 7, §§22 and 29, Michigan local governmental units, *i.e.,* cities, villages, townships and counties have the right and obligation to regulate and franchise cable communications systems." Opinion of the Attorney General of Michigan #4808, Apr. 25, 1974. In this opinion, cable television is defined as a public utility, although the Attorney General recognizes that whether or not it is in fact a public utility has never been "squarely decided" in Michigan.

Counties have authority under the state Constitution and statutes to permit use of rights of way; however, authority to grant franchises is questionable. Little populated area in the state is in unincorporated county areas. No CAC applications have been received for systems operating in such areas.

Other State Law – Cable television companies must obtain the consent of authorities of the city, village, or township or county prior to construction. *Mich. Comp. Laws Ann.* §§247.183 through 247.185 (1972).

MINNESOTA

State Regulation – Minnesota Commission on Cable Communications

In 1973 the legislature established the Commission on Cable Communications. *Minn. Stat. Ann.* §238 (1974). Regulations have been established. Recent rules adopted concern districting and interconnection. The state Commission grants certificates of confirmation (to new systems after May 24, 1973; to grandfathered systems by May 1, 1974).

Franchising Authority – Municipalities (town, city, or county)

Municipalities may grant franchises to cable television systems. *Minn. Stat. Ann.* §238.08 (1974). A municipality is defined as "any organized town, city, or county with respect to the organized territory within its boundaries." *Minn. Stat. Ann.* §238.02 (1974).

A state franchise fee of 1 percent additional has been approved by the FCC. See *Metro Cable Inc.,* FCC 74-1294, 49 FCC 2d 1133 (1974).

MISSISSIPPI

State Regulation – None

Franchising Authority – Certain municipalities

A municipal charter of incorporation specifies powers of the particular municipality. Statutes grant franchising authority to municipalities for telephone systems and utilities. *Miss. Code Ann.* §§21-13-3, 21-27-1, 21-27-3, and 77-3-19 (1972). According to unofficial opinions of the attorney general, cable is not a public utility in Mississippi.

No constitutional or statutory provision authorizes counties to grant franchises. Counties have no powers unless authorized by statute.

Other State Law

The only statute pertaining specifically to cable TV provides for a state sales tax on TV cable systems. *Miss. Code Ann.* §27-65-23 (1972).

MISSOURI

State Regulation – None

Franchising Authority – Charter cities, home rule counties, and all others as provided by statute (a.p. accepted)

Charter cities have franchising authority. *Mo. Rev. Stat.* §82.230 (Supp. 1969) (Regulation of Public Franchises). Home rule counties may grant franchises as provided by the state Constitution, art. 6, §18; only Jackson and St. Louis counties have home rule. All non-charter cities, towns, villages and counties are governed by statute which may or may not provide power to grant franchises. See *Platte County*, FCC 74-156, 45 FCC 2d 373 (1974), in which the FCC found that Platte County has no franchising authority. Case law in Missouri has said that a city, by charter powers or other means, can declare cable television to be a public utility and franchise it as such.

MONTANA

State Regulation – None

Franchising Authority – Certain municipalities (a.p. accepted)

Cities and towns may grant ordinances, franchises and/or resolutions only for the right to use or occupy the public ways. *Mont. Rev. Codes Ann.* §§11-1206 *et seq.*, 11-3126 and 11-3312 *et seq.* (1947). Cable television has not been defined in Montana. No opinion has been issued by the Attorney General. The FCC accepted the proposition that cities and towns have no specific powers to regulate CATV constructed on poles leased from utilities. In *Tri-County Radio Corp.*, FCC 73-411, 40 FCC 2d 761 (1973), a letter from the city and an alternative proposal were accepted.

Counties in Montana do not hold franchising powers.

Other State Law

1. State Department of Revenue may assess companies owning microwave, electric power or transmission lines (effective 2/27/74). *Mont. Rev. Codes. Ann.* §84-901 (1974).
2. Any person may be prosecuted for obtaining cable television services with intent to defraud. *Mont. Rev. Codes Ann.* §94-6-304.1. (1974).

NEBRASKA

State Regulation – None

Franchising Authority – Municipalities and counties

By law effective in 1969, municipalities are empowered to grant franchises by ordinance to community antenna television services. *Neb. Rev. Stat.* §§18-2201 through 2205 (1969).

Counties and other rural areas (unincorporated) may grant franchises to community antenna television services, by law effective Aug. 27, 1971. *Neb. Rev. Stat.* §23-383 through 388 (Supp. 1974).

NEVADA

State Regulation – PSC

The Nevada Public Service Commission, by law adopted in 1967, has authority to regulate cable television and has developed proposed rules and regulations for cable television. *Nev. Rev. Stat.* §§711.010 through .180 and 37.010 (1967).

Franchising Authority – PSC

The Public Service Commission, acting as the sole franchising authority, issues certificates of public convenience and necessity (required by all systems after May 2, 1970). *Nev. Rev. Stat.* §§711.090, .100 (1967). The certificate requirements are consistent with Section 76.31 of the FCC Cable Television Rules, with the exception of a fixed franchise term. Applications should be granted for 15 years from the date of a CAC grant.

NEW HAMPSHIRE

State Regulation – None

Franchising Authority – Cities and towns

Cities and towns, effective Apr. 2, 1974, are authorized to grant franchises for cable television systems, require fees, and impose conditions. *N. H. Rev. Stat. Ann.* §53-C:1 (1974).

County authority is questionable. No CAC applications have been received for unincorporated areas; 1974 law might cover unincorporated areas which have a local governing body.

NEW JERSEY

State Regulation – Office of Cable Television, Board of Public Utilities

The Office of Cable Television, established within the Board of Public Utilities by law, effective Dec. 15, 1972, has promulgated regulations, including technical standards. *N. J. Stat. Ann.* §48:5A-1 *et seq.* (1972). The FCC has accepted a State fee of a total of 4 percent (2 percent local, 2 percent State). See *Clearview Cable Corp.*, FCC 74-1141, 49 FCC 2d 485 (1974).

Franchising Authority – Municipalities

A municipal consent by ordinance must be obtained from the municipal governing body to accompany application for a certificate of approval from the Board of Public Utilities. No cable television may operate without obtaining a certificate of approval. *N. J. Stat. Ann.* §48:5A-22 (1972).

NEW MEXICO

State Regulation – None

Franchising Authority – Municipalities; a.p. accepted for counties

Municipalities have authority to grant franchises, by home rule amendment, effective No. 3, 1970. *Const. of N. M.*, art. 10, §6. ("Permits" were accepted by the FCC prior to the home rule amendment. See *General Communications and Entertainment Co., Inc.*, FCC 73-632, 41 FCC 2d 501 (1973).) Attorney General opinion stated that cable TV is not a public utility and concluded that ordinances granted prior to home rule were invalid. Opinion of the Attorney General, No. 72-29, June 26, 1972.

Counties are granted broad powers under state statutes; franchising of cable television systems is not included. *N. M. Stat. Ann.* §15-36-1 *et seq.* (1953 Comp.). Several grandfathered systems are currently operating in unincorporated areas. However, an alternative proposal has been accepted; the Third Judicial District Attorney of New Mexico has submitted an opinion that counties have no authority to regulate cable television systems nor to issue franchises (letter Aug. 6, 1974). See *Las Cruces TV Cable*, FCC 75-307, (1975).

NEW YORK

State Regulation – Commission on Cable Television

Law, effective Jan. 1, 1973, established the state commission on cable television, which has promulgated rules and standards for cable television. *N. Y. Exec.* §811, *et seq.* (McKinney Supp. 1973) (Rules and Standards are in Subtitle R, Commission on Cable Television, Parts 590-598). All cable systems must obtain a certificate of confirmation from CCT.

Franchising Authority – Municipalities

Municipalities, which include villages, towns, cities, and counties, may grant franchises to cable television systems. *N. Y. Exec.* §819 (McKinney Supp. 1973). CCT may issue a certificate of confirmation to a non-franchised system in operation on April 1, 1973. *N. Y. Exec.* §821 (McKinney Supp. 1973).

Other State Law

1. Dates changed for assessments of cable television companies for the costs and expenses of the cable television commission. *N. Y. Exec.* §817, subdiv. 2, amended (1974).
2. Dates changed for certificates of confirmation for non-franchised systems. *N. Y. Exec.* §821 subdiv. 8 (1974).
3. Editorial amendment, §822, subdiv. 2 & 3 (transfers, renewals or amendments of franchises) (1974).
4. Forfeiture provisions added. *N. Y. Exec.* §827–a (1974).
5. Editorial amendment regarding procedure of recovering forfeiture. *N. Y. Exec.* §827–a, subdiv. 3. (1974).
6. Receipts of performers from closed circuit and cable television transmissions within the state must be included in computing net income of tax payer for franchise tax purposes. Ch. 802 Laws of 1975. *N. Y. Tax Law* §210 subdiv. 3-a(2)(c) and (d) and §632, subdiv. (b) (2-a).
7. Theft of cable television services is prohibited. Ch. 530 Laws of 1975. *N. Y. Penal Law* §155.00 subdiv. 9 added and §165.15 subdiv. 4 amended.
8. Chairman of N. Y. Commission on Cable Television receives compensation fixed by governor, and other members receive annual salary of $5,000. *N. Y. Exec.* §814 subdiv. 5 amended.
9. The amount collected from a cable company by the state commission should not exceed 2 percent of the system's gross annual receipts. *N. Y. Exec.* §817 subdiv. 2 (1975).

NORTH CAROLINA

State Regulation – None

Franchising Authority – Municipalities and counties

Municipalities are authorized to grant franchises to cable television systems. *N. C. Gen. Stat.* §§160A-319 and 160A-311 (1971).

Counties may grant franchises by ordinance to cable television systems, effective Feb. 1, 1974. *N. C. Gen. Stat.* §153A-137.

Other State Laws

1. Cable television companies are excluded from the definition of the term "public service company." *N. C. Gen. Stat.* §105-33 (1973).
2. Any person who makes an unauthorized connection with telephone, telegraph and cable television wires is subject to a fine (maximum ten dollars) or imprisonment (maximum ten days). *N. C. Gen. Stat.* §14-155 (1973).

NORTH DAKOTA

State Regulation – None

Franchising Authority – Municipalities

Municipalities may grant franchises or privileges and may regulate their recipient. *N. D. Cent. Code* §40-05-01 subsec. 57.

Counties have only such powers as stated in the law; these powers do not include franchising. The FCC has received no CAC applications for county operations.

OHIO

State Regulation – None

Franchising Authority – Municipalities and counties (not townships; a.p. accepted)

Municipal corporations have franchising authority under their home rule powers to issue local ordinances. *Const. of Ohio*, art. 18, §3, *Ohio Rev. Code Ann.* §§715, 717, 745.01 *et seq.* (municipalities). *Const. of Ohio,* art. 10, §3, *Ohio Rev. Code Ann.* §301 *et seq.* (counties). Townships and counties are unincorporated and have no authority with respect to cable television systems unless specified by statute.

Townships do not have franchising authority and may not charge fees for use of right of way. 73002 Opinions of the Attorney General 1973. See *Mahoning Valley Cablevision, Inc.,* FCC 73-243, 39 FCC 2d 939 (1973), in which the FCC accepted an alternative proposal. However, townships have granted franchises in Ohio. See *Tele-Media of Lake Erie*, CAC-4010, OH397.

OKLAHOMA

State Regulation – None

Franchising Authority – Cities, towns and villages

Municipal corporations, *i.e.,* cities, towns, and villages, have the authority to grant franchises. *Okla. Const.,* art. 18, §§5 through 7.

Counties have no statutory or constitutional authority to grant franchises. Counties, townships, school districts, road districts, and the like are quasi corporations as distinguished from municipal corporations.

OREGON

State Regulation – None

Franchising Authority – Home rule cities and counties; a.p. accepted

All cities have home rule powers. *Const. of Oregon,* art. 11, §2.

Certain counties have home rule powers. *Const. of Oregon,* art. 6, §10. In 1973 non-home rule counties were extended the authority to enact ordinances. *Ore. Rev. Stat.* §§203.030 through .065 (1973). However, some counties claim no authority to issue franchises to cable television systems. The Attorney General refuses to confirm any position. See *Better-View Cable Vision*, FCC 74-1065, 49 FCC 2d 193 (1974); in which the FCC accepted an alternative proposal.

PENNSYLVANIA

State Regulation – None

Franchising Authority – Cities, townships, boroughs and one town (a.p. accepted for 2nd class townships)

Municipalities are not authorized by statute to franchise or to regulate cable television systems. The extent of their jurisdiction is to control rights of way for streets and roads through the issuance of permits. In *Farrell v. Altonna CATV Corp.*, 419 Pa. 391 (1965), the court decided that a permit had to be secured by adoption of an ordinance rather than a simple resolution. The Commonwealth authorizes the Dept. of Transportation to process permits for use of state highways. Sprout Act of May 31, 1911, P.L. 468, as amended June 1, 1945, P.L. 1242, §411. In 1966 an opinion of the Attorney General stated that cable television is a "public service industry." Case law in Pennsylvania supports municipal delegation of the use of streets for public service industries.
Second class townships are the focus of an intra-state question. Pennsylvania law provides that second class townships may grant permits for the installation of electric conduits, poles, etc., and limits such authority to exclude regulation of the operations of any permittee (Act No. 23 of 1973; effective May 1, 1974). An unofficial opinion from the Deputy Attorney General suggested that such townships may be empowered to grant franchises to cable television systems (letter to Cable Television Bureau, 8/2/74, File PA 999). General Counsel for the Pa. Cable Television Assoc. stated that there is no legal authority for such townships to "exercise the regulatory authority contemplated and required by the FCC rules." This position is supported by Pa. case law. See *Armstrong Utilities, Inc.*, FCC 74-793, 47 FCC 2d 977 (1974), in which the FCC accepted an alternative proposal.

In *Armstrong Utilities, Inc.*, FCC 75-235, 51 FCC 2d 616 (1975), the solicitor of Butler, Pa., advised that third class cities have no authority to issue franchises or to regulate rates. The FCC accepted Armstrong's alternative proposal with respect to §76.31(a)(4) of the Commission's rules and waived compliance until March 31, 1977.

Counties have no authority to issue permits; there are no unincorporated areas of counties.

RHODE ISLAND

State Regulation – PUC

The Public Utility Commission has regulatory authority for cable television; however, the PUC does not define cable television as a public utility, nor does it regulate rates. *R. I. Gen. Laws Ann.* tit. 39, §19 (1969).

Franchising Authority – PUC

The PUC is the sole franchising authority. All systems, effective May 16, 1969, were required to obtain certificates.

SOUTH CAROLINA

State Regulation – None

Franchising Authority – Municipalities and counties

Municipalities have authority to grant franchises, as provided in the state constitution and statutes. *Const. of S. C.*, art. 8, *S. C. Code Ann.* §33-801 (1962).

Counties have authority to grant franchises outside of incorporated municipalities under home rule powers authorized by revised local government law in 1975. *S. C. Code Ann.* §14-3703 subsec. 11. Act 283 of 1975. A constitutional amendment provided the basis for five different forms of home rule county governments. Effective dates vary for individual counties; for most counties home rule becomes effective in early summer 1975.

Prior to the above legislation the Attorney General of S. C. had advised that counties do not possess statutory authority to issue franchises. The FCC had accepted alternative proposals. See *Television Communications Corp.*, FCC 73-667, 41 FCC 2d 945 (1973).

SOUTH DAKOTA

State Regulation – None

Franchising Authority – Municipalities

Municipalities have exclusive jurisdiction by ordinance to regulate, prohibit and consent to the construction, installation, operation and maintenance of community antenna systems within their corporate limits. They may levy an annual occupation tax against any person maintaining and operating any CATV system within its boundaries. (Approved Feb. 11, 1972) *S. C. Compiled Laws Ann.* §9-35-16 through 23 (1972).

Counties have no franchising authority. No applications for CAC have been received for county operations.

TENNESSEE

State Regulation – None

Franchising Authority – Municipalities; counties are claiming jurisdiction

Municipalities may grant franchises to utilities (cable television not listed) or to anything which they are allowed to own. *Tenn. Code Ann.* §6-3311 (1957). The Utility District Law of 1937 provides for the establishment of "utility districts" (defined as municipalities or public corporations), any of which can conduct, operate, and maintain cable television systems within or without the district. *Tenn. Code Ann.* §6-2608 (1974 Supp.). County judges or courts have the power to create utility districts. This section does not apply to counties with a population greater than 60,000 but less than 60,100 according to the 1960 census (Anderson County only) nor does it apply to counties exceeding 600,000 in population according to the 1970 or any later census (Shelby County only). Metropolitan governments can exercise the functions of a utility district. *Tenn. Code Ann.* §6-3715 (1957).

Counties are empowered to establish "urban-type public facilities." *Tenn. Code Ann.* §5-1601 (1961). Cable television is not included in list of such facilities. Counties have the right of eminent domain. *Tenn. Code Ann.* §23-1501 (1901). Their issuance of franchises to cable television systems have not been challenged. See *Jefferson County*, CAC 4023, TN089, in which a county ordinance was adopted.

TEXAS

State Regulation – None

Franchising Authority – Cities; a.p. accepted for counties

All cities (Home Rule cities, general law cities and special charter cities) have franchising authority. *Vernon Ann. Texas Civil Stat.* arts. 961 through 1132, 1181, 1175 §12 (1973).

Counties have no franchising authority provided by statute. Unofficial opinion of the Attorney General stated that counties do not possess authority to grant franchises in unincorporated areas; a county Commissioners Court may exercise only such powers and jurisdiction as conferred upon them by Constitution or statutes (letter May 7, 1973). In *Coastal Cable, Inc.,* FCC 73-631, 41 FCC 2d 857 (1973), the FCC accepted a first alternative proposal in Texas.

UTAH

State Regulation – None

Franchising Authority – City, county, municipal, or other public authority

Cities and counties are asserting jurisdiction over franchising of cable television systems. Cities and towns have authority to make ordinances for public services. *Utah Code Ann.* §10-8-14, 15, 20, 21 (1953).

The Board of County Commissioners may "grant franchises along and over the public highways. . . ." *Utah Code Ann.* §17-5-39 (1953).

The State Supreme Court found cable television not to be a public utility. See *Salt Lake County*, CAC-1861, UT009.

Other State Law

The Public Service Commission may prescribe conditions for the joint use of right of way easements by utilities and cable television companies. *Utah Code Ann.* §54-4-13 (2) (1973).

VERMONT

State Regulation – Public Service Board

Legislation was enacted, effective Feb. 11, 1970, authorizing the Public Service Board to regulate cable television. *Vt. Stat. Ann.* tit. 30, §§501 through 507 (1970).

Franchising Authority – PSB

The Public Service Board, acting as the sole franchising authority, issues annually a Certificate of Public Good. Local communities may issue rights of way for 5 to 12 years duration.

Other State Law

1. Any person who taps or damages cable system equipment may be fined (maximum $100.00) and shall be liable for three times the actual amount of damages. *Vt. Stat. Ann.* tit. 13, §3786 (1972).
2. Any person or company rendering service without a license from the Public Service Board may be fined (maximum $1000.00). Repealed *Vt. Stat. Ann.* tit. 30, §506 (1970). *Vt. Stat. Ann.* tit. 30, §508 (1972).

VIRGINIA

State Regulation – Committee of Education Interests

No comprehensive state regulatory plan has been established for cable television. However, one requirement, effective Oct. 2, 1973, has been promulgated by the Virginia Public Telecommunications Council pursuant to statute. *Va. Code Ann.* §22-331 *et seq.* (1972). Any franchise for a system with one or more educational access channels must provide for a Committee of Education Interests in a manner that conforms to the Virginia *Master State Plan for Public Telecommunications*, Part I, Ch. III. Any franchise and CAC application should state compliance with this requirement.

Franchising Authority – Cities, towns and counties

The governing body of any county, city or town may license, franchise or issue certificates of public convenience and necessity to one or more community antenna television systems. *Va. Code Ann.* §§15.1-23.1 (1972).

Other State Policy

The Virginia Public Telecommunications Council has adopted policies relating to certain minimum standards for CATV systems, including a requirement that systems make available a "Commonwealth Access Channel" for "on-call" leased use by the VPTC on behalf of the Commonwealth Government. See *Master State Plan For Public Telecommunications*, Part I, Ch. III, Oct. 2, 1973.

WASHINGTON

State Regulation – None

Franchising Authority – Cities and towns; each county decides (a.p. accepted)

Cities, towns and metropolitan municipal corporations have authority to grant franchises. *Wash. Rev. Code Ann.* §35.27.330.

Counties have authority to grant franchises for rights of way. *Wash. Rev. Code Ann.* §36.55.010 (1956). Such franchises may not be exclusive. RCW §36.55.060 (1956).

The Attorney General's office stated verbally that each county has the power to determine whether or not it can issue a franchise to a cable television system. In *Sanwick Cablevision, Inc.*, FCC 74-888, 48 FCC 2d 563 (1974), an alternative proposal was accepted because the county claimed it had no jurisdiction over private roads within the county.

Other State Law

Any person who connects to a CATV system shall be guilty of a misdeameanor. *Wash. Rev. Code Ann.* §9.45 (1973).

WEST VIRGINIA

State Regulation – None

Franchising Authority – Municipalities; counties questionable (a.p. accepted)

A municipality or a county court is authorized to grant nonexclusive franchises to cable television systems. *W. Va. Code Ann.* §8-31-1, 2.

A city, by its city charter or by statute (*W. Va. Code Ann.* §8-31-1, 2), is authorized to grant nonexclusive franchises to applicants for cable television systems. 45 Op. Att'y Gen. 298 (1953).

The FCC has accepted alternative proposals for unincorporated areas. See *Kanawha Cable Television Co.,* FCC 74-223, 45 FCC 2d 874 (1974) and *Cabell County* (unincorporated areas), CAC-4268, WV428.

Note: The term "county court" is replaced by "county commission" effective Jan. 1, 1975.

WISCONSIN

State Regulation – None

Franchising Authority – Cities and villages

Cities and villages have claimed franchising authority for cable television under their home rule powers. *Const. of Wisc.,* art. 11, §3.

Towns (3 kinds) have no home rule and have only such powers specifically stated by statute. However, some towns have claimed jurisdiction, possibly under several statutes. *Wis. Stat. (1973),* §§60.18 (3), (12), 61.34(1).

All land in the state is part of a village, town, or city; counties have no franchising authority.

Other State Law

A 4% tax is imposed upon the sale of cable television system services including installation charges, effective Oct. 1, 1975, §501 (m) of ch. 39 Laws of 1975. *Wis. Stats.* (1975) §77.51 (2) (a) (12).

WYOMING

State Regulation – None

Franchising Authority – Cities

Cities may grant franchises to "television companies." *Wyo. Stat. Ann.* §15.1-3 pgh. 31 (1965 amended).

No statute specifically authorizes counties to grant franchises. This fact was confirmed by the prosecuting attorney of the County of Teton (letter of July 21, 1975, South Park, Wyoming, CAC-5693, WY50). However, several counties have submitted franchise resolutions, the first of which was Campbell County, CAC-5356, WY46, for which the FCC granted a certificate of compliance pursuant to delegated authority (9/30/75). No A.G. opinion has been issued.

Addendum I

1976 State Legislation

The following bills relative to cable television were introduced in state legislative sessions during the period January 1976 to the present date and those which carried over from sessions in 1975: (Bills marked by an asterisk have been adopted into law.)

ALABAMA

None.

ALASKA

Adjourned June 2.

H. B. No. 651—Intr. 1/26/76—Rep. Brown:
"An Act relating to the unauthorized connection to cable television lines." Provides that fraudulent use of a telecommunication service is a misdemeanor punishable by maximum imprisonment term of one year and/or by fine of maximum $1000.
Status: Commerce Com.

SCR No. 63—Intr. 1/27/76
Relates to telecommunications.
Status: Finance Com.

S. 592—Intr. 1/29/76
Relates to theft of telecommunication service.
Status: Judiciary Com; transmitted to governor 5/29/76.

ARIZONA

***S. B. 1335**—Intr. 2/10/76—Sen. Jones Osborn:
Provides penalties for fraudulent acts related to cable television service: for unauthorized connections or tampering with any component of a licensed system, a maximum fine of $300 and/or six months imprisonment; for sale or advertisement of instructions or equipment for such fraudulent connections, a maximum $1000 fine and/or two years imprisonment.
Status: Judiciary and Rules Com.; signed by governor 6/22/76; Ch. 107 Arizona Laws of 1976; effective 9/23/76; amends Title 13, Ch. 2, Art. 10, ARS, by adding Sec. 13-312.02 and amends Title 13, Ch. 3, Art. 14, ARS, by adding Secs. 13-1027 and 13-1028.

ARKANSAS

None—Adjourned 1/28/76 until Jan. 1977.

CALIFORNIA

None—session adjourns 11/30/76.

CONNECTICUT

Adjourned 5/5/76.

*S. B. 572—Regulated Activities Com. (raised committee bill):
Includes CATV service in the definition of theft of services.
Status: Public Act No. 76-109; amends *Gen. Stat.* §53A-119; effective 10/1/76.

*S. B. 622—Regulated Activities Com. (raised committee bill):
Includes CATV as a public service facility.
Status: Public Act No. 76-133; amends *Gen. Stat.* §13A-126; effective 10/1/76.

*S. B. 619—Regulated Activities Com. (raised committee bill):
Relates to the ability of mobile homes, trailer parks, condominiums to obtain CATV service.
Status: Public Act No. 76-201; amends Sec. 1 of P. A. No. 75-301; effective 10/1/76.

S. B. 621—Regulated Activities Com. (raised committee bill):
Concerns leases by public service companies and facilities for CATV purposes; amends *Gen. Stat.* §16-332. Status: Died in committee.

S. B. 5611—Regulated Activities Com. (raised committee bill):
Prohibits CATV companies from selling, renting, or repairing TV sets.
Status: Died in committee.

S. B. 5458—Reps. Giles, Billington, Ritter, Motto and LaRosa:
Transfers tax revenues from CATV systems to the municipalities; amends *Gen. Stat.* §12-258.
Status: Died in Government Administration and Policy Com.

DELAWARE

H. B. No. 665—Intr. 6/20/75—Rep. Gilligan:
Exempts the gross receipts and tariff charges received by cable television companies from residential consumers and users and the sale price of tariff charges paid by such residential consumers from the Public Utilities Tax.
Status: Revenue and Finance Com.

S. B. No. 218—Intr. 4/10/75—Sen. Martin:
Places electronic communication services, including cable television, as firmly under the jurisdiction of the Public Service Commission as are all other investor-owned public utilities. Preserves features of existing law dealing specifically with the needs of this "newly-emerging utility form," as distinguished from needs of older utility forms. Grants PSC power to modify terms of any franchise.
Status: Administrative Services Com.; passed Senate 6/29/76; not assigned to a house committee.

FLORIDA

Adjourned June 4.

H. B. 3219 (companion S. 680)—Intr. 4/9/76—Rep. Melvin:
Removes authority of municipalities to levy a public service tax on cable television systems; amends §166.231 *Fla. Stat.*
Status: Finance and Tax Com.; died in committee.

*H. B. 3442—Intr. 4/16/76—General bill by Criminal Justice Com.
Prohibits alteration of or interference with cable television service; provides a penalty in the amount equal to three times the amount of services unlawfully obtained or $1000 whichever is greater; creates Sec. 810.095 Florida Statutes.
Status: Ch. 76-64; approved by governor 6/8/76; effective 10/1/76.

GEORGIA

*H. 1336—Intr. 1/15/76—Knight, Mullinax, *et al*:
Includes in definition of the word "project" the acquisition and repair of any property utilized in connection with a community antenna television system. Such projects are authorized to promote the cable communications industry, enhance employment opportunities and encourage access programming, except in areas adequately served by private enterprise.
Status: Act No. 1381, signed by governor and effective 4/5/76; amends "Development Authorities Law" (Ga. Laws 1969, p. 137).

HAWAII

Adjourned April 20.

H. B. 666—Intr. 2/5/75—Rep. Hiram Fong, Jr.:
(same as S. B. 1056—Intr. 2/20/75—Rep. John Leopold)
Provides that rates charged by cable companies by approved by the director of regulatory agencies who shall conduct a public hearing prior to approval of rate increases.
Status: H. B. 666 referred to Consumer Protection Com. and Commerce Com.; S. B. 1056 passed first reading, referred to Judiciary Com.; neither bill was reported out of committee.

H. B. 767—Intr. 2/10/76—Rep. Charles Ushijima:
Requires a public hearing before any increase in rates is approved by the Director of Regulatory Agencies; strengthens his investigatory authority.
Status: Passed first reading; referred to Consumer Protection and Commerce committees; never reported out.

H. B. 1449—Intr. 2/25/75—Rep. Robert Kimura:
Establishes a State cable television channel to cover legislative hearings and informational telecasts by various governmental departments and agencies.
Status: Passed first reading, referred to Consumer Protection & Commerce and Finance committees; passed second reading; reffered to Finance Com.; died in Finance Com.

***SCR 32**—Intr. 2/9/76—Sen. Robert Taira:
Requests a thorough review and revamping of the present approach to the regulation of cable television systems.
Status: Public Utilities Com.; adopted by both houses (Sen. 3/23/76 and House 4/8/76).

HCR 14—Intr. 2/5/76)—Reviews regulation of cable television systems.
Status: Finance Com.; adopted by House only (4/12/76).

S. 1882—Intr. 1/26/76—Sen. Anson Chong:
Makes an appropriation for video tape equipment for the public access channels of all CATV franchise systems.
Status: Higher Education Com.; passed second reading; referred to Ways and Means; not reported out.

IDAHO

None.

ILLINOIS

H. B. 657—Intr. 3/7/75—Reps. McCourt, Bluthardt, Tuerk and McAuliffe:
Requires the Commerce Commission to regulate cable television companies. Authorizes the collection of taxes on the gross receipts of cable television companies. Sets out rules for agreements between cable television companies and municipalities, and between cable television companies and the Commerce Commission for service in unincorporated areas. Preempts home rule authority.
Status: First reading (3/7/75); referred 4/26/75 to Public Utilities Com. for study; tabled 5/20/76.

INDIANA

Adjourned Feb. 20.

S. B. 99—Intr. 1/5/76—Sens. O'Day and Gardner:
Exempts cable television companies from the provisions of an occupational licensing law involving the licensing of television and radio servicemen.
Status: Passed Sen. 1/22/76; assigned to House Public Policy Com. 1/27/76; signed by governor and effective 6/76; Acts 1976 P. L. 121; Indiana Code 25–36–1–3.

IOWA

None—Adjourned May 29.

KANSAS—Adjourned May 4.

*S. B. No. 730—Intr. 1/22/76
Defines the crime of "theft of cable television services" and classifies it as a Class A misdemeanor (1 year and/or $2,500).
Status: Judiciary Com. reported favorable for passage; adopted 4/8/76; Ch. 154 of 1976 Session Laws; effective 7/1/76; final bill provides that such crime is a Class C misdemeanor.

KENTUCKY

None—Adjourned March 20.

LOUISIANA

(No information at publication).

MAINE

Adjourned June 14.

*L. D. 2345—"Errors and Inconsistencies Bill"—Intr. 4/8/76—Sen. Collins:
Authorizes municipalities to operate telecommunications systems; provides funding.
Status: Public Law Ch. 770; signed and effective 4/16/76.

MARYLAND

Adjourned April 12.

H. B. 1919—Intr. 2/27/76—Delegates Briscoe and Arnick:
Defines community antenna television company as a public service company and places such companies under the jurisdiction of the Public Service Commission by amending Art. 28 (Public Service Commission Law), Sec. 2 (jj) and (kk) and 55C Annotated Code of Maryland.
Status: Economic Matters Com.; gave bill unfavorable report 4/9/76—referred to Legislative Council for further study.

MASSACHUSETTS

H. No. 1048—Intr. 1/2/76—Rep. Joyce:
Repeals the law governing cable television (Ch. 166A General Laws).
Status: Government Regulation Com.; adverse report accepted 4/20/76.

H. No. 1161—Intr. 1/2/76—Rep. Galotti:
Exempts personal property of community antenna television systems from the real estate tax.
Status: Taxation Com.; adverse report accepted 4/29/76.

H. No. 2832—Intr. 1/30/76—Rep. Cahoon:
Provides that a community antenna television company shall not bill a subscriber prior to providing service.
Status: Government Regulations Com.; adverse report accepted 4/20/76.

S. No. 371—Intr. 1/2/76—LoPresti:
Authorizes cities and towns to award contracts for construction of cable television systems without the approval of the mayor.
Status: Government Regulations Com.; adverse report; Senate tabled the bill.

S. No. 372—Intr. 1/2/76—LoPresti:
Authorizes cities and towns to award construction contracts, through city council or town meetings, without approval of the CATV Commission.
Status: Government Regulations Com.; adverse report accepted 5/17/76.

H. No. 3413—Intr. 2/3/76
Requires approval of city councils . . . for issuance of community antenna television licenses.
Status: Government Regulations Com.; adverse report accepted 4/26/76.

MICHIGAN

S.C.R. 308—Intr. 1/20/76—Sen. Derezinski:
Extends the time of operation of the cable television special committee established by S.C.R. 62 of 1975.
Status: Adopted 2/17/76.

S. B. 763—Intr. 4/29/75—Sen. Holmes: carried over to 1976.
Establishes Public Service Commission regulation of cable television; requires companies to obtain CATV permits; creates an advisory committee (5 member appointed by governor) within the PSC (Dept. of Commerce) to advise the PSC on CATV matters.
Status: Com. on State Affairs.

MINNESOTA

Adjourned May 19.

H. F. 943—Intr. 3/13/75—See S.F. 1187.

H. F. 2273—Intr. 2/12/76—Rep. Begich:
Authorizes cable communications companies which, pursuant to a franchise, were under construction on May 24, 1973, and in operation before July 1976, to continue to exercise their franchises.
Status: Died in Government Operations Com.

H. B. 431—Intr. 2/13/75—Governor Anderson, *et al.*
Relates to acquisition of television translator systems by counties.
Status: Local and Urban Affairs Committee (Senate)—carries over to session commencing 1/27/76.

*S. F. 1187 (companion H. F. 943)—Intr. 3/27/75—Sens. Merriam, Shaaf, and Borden; H. F. 943 intr. 3/13/75 by Rep. McCarron Amends *Minn. Stat. Ann.* §238 (1974).
Revises original legislation which established the state commission on cable communications by changing wording in several sections and by granting jurisdiction to the commission to promulgate rules for line extension and interconnection.
Status: Committee on Labor and Commerce—Passed Senate 5/19/75; House did not approve amendment—sent bill to conference committee—on table in House 1/27/76; enacted 3/25/76; effective 3/26/76; Ch. 249 Minn. Laws of 1976.

S. F. 1486 (companion H. F. 1443)—Intr. 4/14/75—Sens. Kleinbaum, Larson and Baldy Hansen; H. F. 1443 intr. 4/9/75 by Rep. Brinkman.
Uniformly increases the validity of a certificate of confirmation for cable communication franchises to 15 years.
Status: Committee on Labor and Commerce—carries over to session commencing 1/27/76. Died in Government Operations Committee.

S. F. 1688—Intr. 4/26/75—Sen. Arnold
Authorizes counties of Beltrami, Lake of the Woods, Itasca, Koochiching and St. Louis, "to levy one mill to fund the construction, acquisition, improvement or maintenance of a

translator station within or without the respective counties for the purpose of receiving and transmitting television broadcast signals."
Status: Committee on Local Government—carries over to session commencing 1/27/76.

H. F. 1784 (companion S. F. 1732)—Intr. 5/6/75
Creates a legislative commission to study public telecommunications with attention to computer assisted instruction, cable television.
Status: Government Operations Committee (House)—Labor and Commerce Committee (Senate)—carries over to session commencing 1/27/76.

MISSISSIPPI

Adjourned May 6.

H. B. 186—Intr. 1/9/76—Reps. O'Keefe and Havens:
Grants authority to the Public Service Commission to regulate cable television; includes cable television in the definition of public utility (to amend Sec. 77-3-5, Mississippi Code of 1972). (A brief bill.)
Status: Public Utilities Com.; died in committee.

MISSOURI

Adjourned April 30.

S. 896—Intr. 1/20/76—Sen. Cox:
Defines cable television as a public utility subject to the jurisdiction of the Public Service Commission.
Status: Com. on State Departments; died in committee.

H. 1813—Intr. 1/29/76—Rep. Fickle:
Authorizes cities . . . to permit cable television companies to place poles, lines and the like along, under and over public streets and places. Allows cities and municipalities to authorize operation of cable television systems by ordinance.
Status: Com. on Atomic Energy and Industrial Development; died in committee.

MONTANA

No session this year.

NEBRASKA

None—Adjourned April 9.

NEVADA

No session this year.

NEW HAMPSHIRE

No session this year.

NEW JERSEY

Note: Bills will carry over to 1977 if no action this year.

A. 362—Intr. 1/13/76—Assemblyman Hurley:
Permits cable television companies to grant reduced rates to senior citizens.
Status: Transportation and Communications Com.

A. 1089—Intr. 1/26/76—Assemblyman Codey:
Requires cable television companies to pay to municipalities 2% of their gross revenue from advertising fees or charges, in addition to the 2% of gross revenue from advertising fees or charges, in addition to the 2% of gross revenue from regular subscription fees (now required under Section 30.a of the Cable Television Act).
Status: Transportation and Communications Com.

A. 1263—Intr. 1/26/76—Van Wagner:
Makes the Office of Cable Television and independent agency, rather than totally subordinate to the Public Utilities Commission.
Status: Transportation and Communications Com.

NEW MEXICO

None. Adjourned Feb. 19.

NEW YORK

S. B. 9738—Intr. 4/14/76—Sen. Rolison:
Amends Exec. Law Sec. 812 to redefine cable television.
Status: Passed both houses—awaiting governor's signature.
Some 20 other bills were introduced, but no others passed both houses.

NORTH CAROLINA

Adjourned 1975 session May 14, 1976–None.

NORTH DAKOTA

No session in odd years.

OHIO

H. B. No. 868–Intr. 6/10/75–Dale Locker:
Requires the franchising of cable television operations by townships.
Status: Referred 1/7/76 to Insurance, Utilities and Financial Institutions Com.

H. B. 1367–Intr. 3/3/76–Rep. Oxley:
Prohibits theft of CATV property and grants CATV companies the use of public rights-of-way; amends Sec. 4933.99 ORS and enacts Sec. 4933.42 and Sec. 4933.43 ORS.
Status: Insurance, Utilities and Financial Institutions Com.; passed House; sent to Senate 4/29/76; pending in Sen. Energy and Environment Com.

OKLAHOMA

Adjourned June 9–None.

OREGON

None–No regular session this year.

PENNSYLVANIA

S. B. 18–Intr. 1/20/75–Sen. Bell: carried over to 1976.
Provides for the regulation of community antenna television systems by the Public Utility Commission.
Status: Law and Justice Com.
Intr. 5/24/76–Stapleton and Sirica:
Establishes Pennsylvania Telecommunications Commission and places cable television under its jurisdiction (cable not defined as a utility). (Number not known at publication.)

RHODE ISLAND

None.

SOUTH CAROLINA

S. 62—Intr. 1/16/75—Sens. Moore, Holland, and Laughlin—carried over to 1976 session:
Provides for the regulation of cable television by the Public Service Commission and for certain uses of public lands, highways or public roads, or waters of the state by cable television companies; to provide for certain permits; and to provide penalties for violations.
Status: Commerce and Manufacturers Com.

H. 2510—Intr. 2/26/75—Kneece, Lafitte, McAbee, Moore, *et al.*—carried over to 1976 session:
Provides for use of public lands by cable television companies upon approval of the governing body of the city or county; authorizes municipalities and counties to regulate cable television systems by issuance of franchise licenses after public notice; requires annual fee of $2 per mile for right-of-way usage.
Status: Com. on Judiciary; committee report 4/15/75: Majority favorable with amendment; minority unfavorable; debate adjourned 1/20/76.

SOUTH DAKOTA

Adourned Feb. 15.

H. B. 616—Reps. Stoick, Robbennolt, Kesling, Methaff and Miller; and Sen. Hoffman:
Authorizes board of county commissioners to establish (by public hearing and adoption of ordinance) a translator district, to be administered by 3 to 5 trustees appointed by the board. All persons owning television sets within the district shall be subject to a special tax, except subscribers to community antenna systems or taxpayers who receive a TV signal directly.
Status: Approved and effective 2/26/76; Ch. 76 of 1976 South Dakota Session Laws.

TENNESSEE

Adjourned March 19—2 bills (neither adopted).

TEXAS

No session this year.

UTAH

None (budget session only).

VERMONT

None.

VIRGINIA

None.

WASHINGTON

Adjourned March 27.

H. B. 816—Intr. 2/21/75—Reps. Gallagher, McCormick, Wojahn and Martinis:
Provides for regulation of community antenna television by the Utilities and Transportation Commission; requires systems to obtain certificates of public convenience and necessity.
Status: Commerce Com.; reintroduced 1/12/76.

WEST VIRGINIA

Adjourned May 16.

H. B. No. 727—Intr. 1/14/76—Rep. Phyllis Given 3/25/76 indefinitely postponed.
Includes cable television under the jurisdiction of the Public Service Commission. Provides that present rates remain in effect until expiration of franchises with municipalities.
Status: Judiciary Com.—not reported out of committee.

WISCONSIN

A. B. 622–Intr. 4/10/75–Reps. Kedrowski, Elconin, Schricker, Day, Mohn, Byersand and Hanson: carried over to 1976.
Authorizes town boards to issue cable television franchises upon adoption of an ordinance.
Status: Com. on State Affairs; held public hearing 10/21/75; not reported out of committee.

A. B. 623–Intr. 4/10/75–Reps. Kedrowski, Elconin, Schricker, Day, Dueholm, and Mohn: carried over to 1976.
Authorizes the issuance of municipal industrial revenue bonds for cable television systems.
Status: Com. on State Affairs; public hearing 10/21/75; not reported out of committee.

A. B. 1174– carried over to 1976. Reps. Early, Ferral, *et al*; co-sponsored by Sen. Harnisch:
Authorizes school boards to lease cable television services for up to 20 years.
Status: Com. on Education; hearing held 11/19/75; Ch. 321 Laws of 1975; amends *Wis. Stats.* R120.13(22); effective 6/13/76.

A. B. 1191–Intr. 10/8/75–Reps. Jackimonis, Elconin, *et al* and 3 Senate co-sponsors at request of the governor–carried over to 1976.
Provides for regulation of cable television systems by a division of cable television in the Public Service Commission, which would set franchise standards, certify systems, collect fees, and require systems to extend service areas. (Note: requirement to obtain certificates was deleted in Substitute Amendment 1); provides that cities, towns, villages, and intercommunity districts may issue franchises and set requirements; establishes classes of cable systems.
Status: Com. on State Affairs; hearing 10/21/75; Assembly Substitute Amendment 1 introduced and passage recommended 1/28/76; passed second reading; sent to Joint Committee on Finance and Procedural Matters; not reported out of committee.
A. B. 1437–Intr. 3/10/76–Reps. Clarenbach, Jackamonis, and Miller:
Requires landlords to allow installation of cable television facilities if tenants request it; landlord may require company to meet certain conditions and tenant must pay costs involved; landlord cannot charge for installation or discriminate in rent charged to cable TV subscribers.
Status: Com. on State Affairs; not reported out of committee.

WYOMING

None (budget session only).

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